

**SUFFOLK COUNTY LEGISLATURE**

**GENERAL MEETING**

**SEVENTEENTH DAY  
NOVEMBER 22, 2005**

**MEETING HELD AT THE WILLIAM H. ROGERS LEGISLATURE  
BUILDING IN THE ROSE Y. CARACAPPA LEGISLATIVE AUDITORIUM  
725 VETERANS MEMORIAL HIGHWAY, HAUPPAUGE, NEW YORK**

**MINUTES TAKEN BY**

**LUCIA BRAATEN AND ALISON MAHONEY, COURT STENOGRAPHERS**

**[THE MEETING WAS CALLED TO ORDER AT 9:50 P.M.]**

**P.O. CARACAPPA:**

Good morning, Mr. Clerk. Roll call, please.

**MR. BARTON:**

Good morning, Mr. Chairman.

**LEG. CARACCILOLO:**

(Not Present)

**LEG. SCHNEIDERMAN:**

Here.

**LEG. O'LEARY:**

Here.

**LEG. VILORIA • FISHER:**

Here.

**LEG. LOSQUADRO:**

Present.

**LEG. FOLEY:**

(Not Present)

**LEG. LINDSAY:**

Here.

**LEG. MONTANO:**

Here.

**LEG. ALDEN:**

Here.

**LEG. KENNEDY:**

(Not Present)

**LEG. NOWICK:**

Here.

**LEG. BISHOP:**

(Not Present)

**LEG. MYSTAL:**

Here.

**LEG. BINDER:**

(Not Present)

**LEG. TONNA:**

(Not Present)

**LEG. COOPER:**

Here.

**D.P.O. CARPENTER:**

(Not Present)

**P.O. CARACAPPA:**

Here.

***[Legislator Foley entered the auditorium]***

**MR. BARTON:**

12 present, Mr. Chairman. (Not Present at Roll Call: Legs. Bishop, Binder and Tonna)

**P.O. CARACAPPA:**

Thank you. Everyone, please rise for a salute to the flag, led by Legislator Nowick.

***[Salutation]***

**P.O. CARACAPPA:**

I'd ask for a moment of silence for all those men and women fighting for our country in Afghanistan and Iraq, and for those young men who have unfortunately given the ultimate sacrifice in both of those countries.

***[Moment of Silence]***

Thank you. Please be seated. Oh, don't be seated yet. I'm sorry. I'd like to introduce Legislator Montano for the purposes of introducing today's clergy. Legislator Montano, I apologize for that.

**LEG. MONTANO:**

Thank you. Thank you very much, Mr. Presiding Officer. My privilege ••

**LEG. LOSQUADRO:**

I don't think that mike's on, Rick.

## **LEG. MONTANO:**

Okay. My privilege to introduce today Father Tom Saint Pierre. Father Tom Saint Pierre was born in 1953 in Jamaica, Queens and grew up on Long Island, Syosett and Rockville Centre. During high school and college he did well with his studies and spent his spare time on musical, theatrical and journalistic activities. He has been in dozens and plays and edited any number of publications. After graduating from Cathedral College in Queens, he worked as a pharmaceutical salesman for two companies before entering the seminary in Huntington. He was ordained a Catholic priest on November 22nd 1980. He celebrates today his 25th anniversary of priesthood. Since then, he has served in four parishes. Over 17 years being spent in Saint Anne's parish, a huge financially challenged, multicultural community. He's comfortable in Spanish as well as English. He serves on the Board of Directors of PRONTO, which has recently reunited with Saint Anne's Parrish Outreach.

In the early '90's, he received a Masters in Communication from New York Institute of Technology. He majored in T.V. production and put in many, many hours as a producer, director, host, writer at a local cable T.V. station, Telecare. He's written extensively over the years, mostly articles on screen plays. Though he has written three movie screenplays, the only success so far is received •• is a half hour drama, the Eggplant Lady, which was bought and produced by Family Theater Productions in the Year 2000. His website is churchwriter.com.

One of his areas of most intense effort has been the care of the poor, vulnerable and needy of the Brentwood and North Bay Shore Communities. Father, would you join us?

## **FATHER SAINT PIERRE:**

Thanks so much, Legislator Montano. Happy Thanksgiving, everybody. Great. Twenty•five years and one week ago I was in my dentist's office back in Rockville Centre, Dr. \\_Lepperd\\_ . He'd been my dentist since I was a little kid. And as I was sitting there in the church, he looked down at me and he said, "Tommy, you're going to become a priest in one week. The most important thing is to be compassionate, be compassionate." And I

looked up at him and said, "arrrr, uh•uh". Because they had the thing and just stuff all over the place. But •• and I agreed with him, you know. And I would say to you, if somebody is standing over you with a drill in their hand, ready to go to work in your mouth, agree with them, no matter what they say. Okay?

But in the 25 years since then, I've realized that he was right. The most important thing for a priest is to be compassionate. The most important thing for a dentist, to be compassionate. And I think the most important thing for a Legislator is to be compassionate, too. So today I'm going to pray for that kind of compassion. I think it's important. Because one thing, we all know, now that the elections are over and the mailings and the commercials are out of the way, I've got to confess to you. I've got to confess to you that one thing that ticks me off is when somebody is trying to get my vote by saying, "Vote for me, because I could be meaner and nastier to those day•laborers than that other wimp." I always wind up voting for the wimp. Okay? So I'm going to pray today for the gift of compassion.

Blessed are you, Lord, God, King of the universe. It is through your goodness that we have the opportunity to sit here together and hopefully make a difference for the good people of Suffolk County. Help our hearts be guided by your heart. Help our votes to reflect your justice. Help our decisions to incarnate your will. May we learn to flavor the stew of propositions and proposals, and debates and objections with a spoonful of mercy, a dash of humor, and an ounce of compassion. May our compassion even reach beyond those who will re•elect us, beyond those who may write nasty letters about us to Newsday, beyond those whose papers are in order, to all the people that we can help, for we truly want to help make Suffolk a better place. We ask you this for we call you Yahweh, Father, Creator, Abba, Lord, Jehovah, Allah, our helper, protector and guide forever and ever. Amen.

**MR. MONTANO:**

Thank you, Father.

**P.O. CARACAPPA:**

Thank you, Father. Thank you for the comic relief, too. I think we need a little bit of that. He'll be performing at church all week, if you'd like to ••

**FATHER SAINT PIERRE:**

Weddings and bar mitzvahs, too.

**P.O. CARACAPPA:**

Please be seated. Oh, I'm sorry. Legislator Schneiderman, I recognize you.

**LEG. SCHNEIDERMAN:**

Thank you, Mr. Presiding Officer. I would just ask for another moment of silence. I just recently learned that a former Supervisor of the Town of East Hampton, where I'm from, actually the woman who preceded me, a woman by the name of Cathy Lester passed away yesterday. She was a two-term Supervisor. She spent her whole life on the East End. She was a baywoman, worked with her hands, and lived off of the earth, and was a tremendous voice for environmental preservation, protecting the environment and other social issues. And she did pass away yesterday. If I could have a moment of silence in her memory. Thank you.

**P.O. CARACAPPA:**

Thank you, Legislator Schneiderman. I've come to the podium today to present a proclamation. And, at this point in time, I'd like to ask Mr. McNaughton and his wife, Michelle, to please come to the podium with me.

Unfortunately, over the last many months, as we did this morning, we said a prayer and a moment of silence for our service men and women fighting for our country throughout the Middle East and the world, and to pray for the souls of those who have given the ultimate sacrifice.

On August 2nd, 2005, Army Staff Sergeant James Dennis McNaughton of the 306th Military Police Battalion and the 800 Military Police Brigade, also a New York City Police Officer, was killed by a sniper's bullet while standing guard over prisoners at a base located in Baghdad International Airport. Staff Sergeant McNaughton had already served in a tour of duty, I believe, and had volunteered to serve his country again in Iraq last fall. He was, as I mentioned, also a New York City Police Officer. He was 27 years old, a resident of Centereach, and a graduate from Centereach High School in

1996.

James comes from a police family, deeply rooted in the police family. His father is a retired police officer, his fiancée, Lilliana, is also a New York City Police Officer, and his stepmother, Michelle, are all active in the New York City Police Department. James ended the New York City Police Academy on July 2nd, 2001, and I believe it was the day after he left his first ••

**MR. MCNAUGHTON:**

The military.

**P.O. CARACAPPA:**

The first day •• the military his first time around. And he reported for duty with the United States Army in the second time around on October 4th, 2004.

Today, what I'm going to ask of all of you is we have a resolution to rename a portion of Nicolls Road through the community of Centereach, his home hamlet, in a memorial fashion in the name of James Dennis McNaughton. And I'm glad you're all here to be part of this and to •• and I'm going to ask for a motion to take that out of order and vote on it now. But, first and foremost, I'd like to introduce his parents. They are Gold Star parents. I've had the pleasure of getting to know them over the last couple of weeks. They are two of the finest people I've had the pleasure to sit and speak with in a very long time, and very refreshing and just fantastic people. So I'd like to introduce to you Mr. and Mrs. McNaughton.

***[Applause]***

**MR. MCNAUGHTON:**

Joe, thank you. Everybody here, thank you for giving me this opportunity to talk about my son. It's still very hard for us right now. And this might seem trivial to a lot of people, this portion of Nicolls Road, but it means a lot to the family. Jimmy and I, as a lot of people know, we had a 1969 Chevelle we had together and he liked to cruise around in the thing, he liked to show off to his friends. That part of that road, it means a lot to us. I never prepare anything I, try to talk from my heart here. Again, I appreciate what



everybody's done for me. Joe, coming to my house, that day was nice. It's just •• again, I thank everybody again for this small token of appreciation from the Legislators of Suffolk County, New York. My family thanks you.

***[Applause]***

**P.O. CARACAPPA:**

Thank you, Bill and Michelle. At this point in time from the podium, I'd like to ask for a motion to take 2145 out of order, seconded by Legislator O'Leary. All in favor? Opposed? Abstentions? That bill is now before us. I'll make that motion, same second, also, seconded by Legislator Viloría •Fisher, to approve 2145 of 2005, a resolution renaming a portion of County Road 97, Nicolls Road, between Route 25 and the Long Island Expressway as James McNaughton Way. There's a motion and a second. I think this is enough for a roll call, so I'd ask for one, Mr. Clerk.

***[ROLLED CALLED BY MR. BARTON • CLERK]***

**P.O. CARACAPPA:**

Yes.

**LEG. VILORIA • FISHER:**

Yes.

**LEG. CARACCILO:**

(Not Present)

**LEG. SCHNEIDERMAN:**

Yes.

**LEG. O'LEARY:**

Yes.

**LEG. LOSQUADRO:**

Yes.

**LEG. FOLEY:**

Yes.

**LEG. LINDSAY:**

Yes.

**LEG. MONTANO:**

Yes.

**LEG. ALDEN:**

Yes.

**LEG. KENNEDY:**

Yes.

**LEG. NOWICK:**

Yes.

**LEG. BISHOP:**

Yes.

**LEG. MYSTAL:**

Yes.

**LEG. BINDER:**

(Not Present)

**LEG. TONNA:**

Yep.

**LEG. COOPER:**

Yes.

**D.P.O. CARPENTER:**

(Not Present)

**MR. BARTON:**

15, 3 not present. (Not Present: Legs. Caracciolo, Binder and Carpenter)

**P.O. CARACAPPA:**

It's approved unanimously. Thank you. Congratulations.

***[Applause]***

**MR. MCNAUGHTON:**

Thank you, Joe. Thanks, everybody. Thank you.

**P.O. CARACAPPA:**

Bill and Michelle, before you run off, I'd like to now present you with a proclamation on behalf of all my colleagues and staff in the Suffolk County Legislature commemorating this moment, as we now memorialize your son and his effort and his sacrifice for all the years to come along Nicolls Road and throughout Suffolk County. So with that, I present to you this proclamation on this day. Congratulations.

**MRS. MCNAUGHTON:**

Thank you.

**MR. MCNAUGHTON:**

Joe, again, thank you.

**P.O. CARACAPPA:**

My pleasure. I'd ask, Legislator Alden, if you could just carry on with the •• start the public portion, I'd appreciate it. Thank you.

**MR. MCNAUGHTON:**

Thank you, sir.

**LEG. ALDEN:**

Okay. Public portion is just that, it's for the public to come and address us. You have three minutes. And we're going to start with Craig Kessler. Good morning.

**MR. KESSLER:**

Hello. Good morning, again, members of the Legislature. Thank you for the

opportunity to address you this morning. My name is Craig Kessler. I'm the Manager of Conservation Programs for Ducks Unlimited, which is a private nonprofit conservation organization, nationally recognized and operating here in Suffolk County.

I had a chance to address the members of the Parks and Cultural Affairs subcommittee last week, and I also sent a letter to all of you, which, hopefully, you've had a chance to review. I wanted to make myself available this morning just to reiterate two or three points in the letter and to answer any questions, should you have any. I'm speaking on behalf of Resolution 2025, which seeks to establish a stewardship agreement between Suffolk County Parks Department and Ducks Unlimited, and appropriate funding for a wetland restoration project on Beaver Dam Creek in Brookhaven Hamlet. And, again, I just wanted to emphasize two or three points that were in that letter. Number one, that Ducks Unlimited and the Parks Department already have a successful stewardship conservation partnership in Flanders on Hubbard County Park, and we've worked cooperatively in several other County parcels as well. The second point being that a part •• a project of this nature requires conservation partnerships between public and private entities and different levels of public involvement to come together and leverage their resources to do the best job possible for this type of restoration project, which we stand ready to do based on some success that's already been achieved with \$30,000 in federal funding secured for this project, as well as additional two hundred some thousand in State funding for the project, and the prospect of some additional federal funding.

And, lastly, I just wanted to emphasize that this project, while it was recognized last year by the Secretary of State, Randy Daniels, what was being recognized really was the cooperative nature of the partnership, and, consequently, I think this arrangement has applicability, really, to all the Legislative districts in Suffolk County, since you have some 60,000 acres of parkland that have valuable wetland on them. And, again, recognizing that this was the way these projects get done through cooperative partnerships, I think it's a classic example of how we can work together and, hopefully, benefit the residents and the parklands of Suffolk County. So I would ask for your support later in the day when Resolution 2025 comes before the full

Legislature. Thank you very much.

**LEG. ALDEN:**

Thank you. Next up, Roy Kobler.

**MR. KOBLER:**

Good morning. My name is Roy Kobler. I live at 511 Bay 5th Street in West Islip. I've never done something like this before, but I got a notice in my mailbox about the sewer failure allocation, so I figured I would just come down here and speak my peace, more or less.

We just moved into this home a few months ago, and then the sewers backed up in the neighborhood when it rained for eight days, and the entire downstairs of our home got wiped out. So the Town came down and they cut out all the walls four feet around the entire downstairs of the house, which is two bedrooms, the laundry room, the den, and now I'm left with a bill to repair the house, which is somewhere around \$18,000 to put back all the walls and the carpeting, and everything else.

Now, I'm not the only one in neighborhood that this happened to, this happened to many, many homes in the neighborhood that never ever were flooded before. So I'm just hoping that, you know, the Legislature can find some way to compensate the people in the neighborhood for this damage. You know, it was a sewer failure. Unfortunately for us, we're the newest people in the neighborhood, and we moved to this neighborhood •• we moved away from Lindenhurst from the bay to get away from the water and we got 18 inches of water in our new home. So, you know, we went around the neighborhood, I spoke to some other people, and a lot of other people in the neighborhood also got flooded. The carpets were ripped out, the whole downstairs of their homes were ripped out, and this never happened before to any of these homes. So I'm just hoping that, you know, somehow or other people in the neighborhood could be compensated and ••

**LEG. BISHOP:**

Where do you live?

**MR. KOBLER:**

I'm sorry?

**LEG. BISHOP:**

Where do you live?

**MR. KOBLER:**

511 Bay 5th Street in West Islip. All right. Like I said, I got this notice in my mailbox and I came down here just to speak my peace, more or less, and, you know, not only for myself, but there's many, many homes in the neighborhood got completely destroyed. We're paying now a lot of money for a new mortgage and I can't use half my home until January when it's repaired. So, that's all.

**LEG. ALDEN:**

Thank you very much.

**MR KOBLER:**

Thank you.

**LEG. ALDEN:**

Okay. Next up, Joyce Rosenthal.

**MS. ROSENTHAL:**

Good morning, and I'd like to thank you for giving me this opportunity to speak to you. The members of the Ways and Means Committee have heard what the League of Women Voters is about to speak about, but the League of Women Voters goes •• wants to reinforce our position, so bear with us.

After the •• oh, I'm sorry. My name is Joyce Rosenthal. After the 2000 election, Congress passed the Help America Vote Act, known to you as HAVA. All voters were to have new voting machines by 2005. Extensions were granted until 2006. This spring, the New York State Legislature voted to have the Board of Elections and the local Boards of Election choose the voting machine to be used in their jurisdiction, in our case, the Board of Election of Suffolk County. Note that the federal government will give a great deal of money to the individual states, provided they meet the

deadline, which is now, January 2006, and you know we're at the end of November now.

New York State law requires that the voting machine have a full•face ballot and a verifiable backup to be used as a recount in case that is necessary. The full•face ballot is what we are all used to. When we walk into that voting machine, we see everything, that's all it means.

The Board of Elections of New York State must certify the voting machines before the local Boards of Election may purchase them. So the State has given the locals the right to buy the machines, but the machines must be certified by the New York State Board of Election.

There are only two types of machines that meet the needs of New York State, of New York State requirements, the Direct Recording Electronic, which you will note will be called the DRE, and the optical scan. The League of Women Voters of New York State strongly advises the Board of Elections to choose the optical scan machine. It provides a full•face ballot and a paper backup, which is required by the State. The law requires that there be one handicapped accessible new type machine in each polling place by the 2006 election. All lever type machines must be replaced by the 2007 election.

It has recently come to our attention that the New York State Board of Election has indicated that it cannot compel the manufacturers to submit their optical scanner for certification. At this time, the League of Women Voters of Suffolk County is making two requests of you. Contact ••

**LEG. ALDEN:**

Your time has expired. Could you, please, sum up?

**MS. ROSENTHAL:**

I'll sum it up quickly. Contact and encourage the elected Senators, State Assemblymen that represent your district to call or write the Board of Elections of New York State and that they request to see the optical scanner prior to making a certification decision. Contact the New York State Board of Elections to insist that they let the manufacturers know that they will not



certify any of their voting machines unless they demonstrate a prototype of both direct •• the DRE and the optical scanner. Please, choose the optical scan voting machines. They are secure, accurate, reliable and accessible, known to those as SARA. Thank you very much.

**LEG. ALDEN:**

Thank you. Next up is •• I believe it's Judie Gorenstein.

**MS. GORENSTEIN:**

Good morning. I'm Judy Gorenstein and I'm from the League of Women Voters of Suffolk County and also of Huntington.

The optical scanners is not only secure, accurate, reliable, and accessible, it is also easier to use and less confusing than the DRE's. The optical scanner is cost effective. The estimates for each optical scanner ranges from five thousand to fifty•five hundred dollars. The cost of each handicapped accessible voting machine is approximately \$7,500.

According to the Suffolk Board of Elections, there were 351 polling stations, and 1,416 lever machines used in the last election. Only one optical scanner and one handicapped accessible machine would be required for most polling stations to replace the lever machines. Using the \$5,000 estimate for each scanner and the cost of each handicapped accessible voting machine, the cost of purchasing just the two machines for each polling station in the County would cost approximately \$4,387,500. If the County decides instead to buy the DRE machines, they would have to replace each lever machine with a DRE. The cost of these machines range from 7,500 to \$11,000. Even using the lowest estimate, the total cost of the DRE's would be approximately \$10,620,000. The cost of this optical scanner is significantly less than half the cost of the DRE's; \$6,232,500 would be saved.

**LEG. BISHOP:**

That's what we're doing, isn't it?

**MS. GORENSTEIN:**

In addition to the initial cost of voting machine are the maintenance, transportation and storage costs. These costs actually will be paid for by our



County. DRE's need to be stored in air conditioned facilities, optical scanners do not. Many more DRE's would be needed than the required number of optical scanners. Because they are more delicate and need to be recalibrated by experts each time they are moved, their transportation, maintenance and storage would be more costly.

The opponents of the optical scanner always bring up the cost of purchasing the paper ballot each voter will use. This is actually the backup for recounts. A price quote from an Ohio-based printing company for a full-faced optical scan ballot, which is required, is 29 cents.

**LEG. ALDEN:**

I'm sorry, your time has expired. Please, sum up.

**MS. GORENSTEIN:**

Suffolk County has approximately 850,000 voters. The cost of the printer •• printed ballots would be approximately \$250,000. Many of the companies that manufacture DRE's also make optical scanners. It is obvious why they are pushing you to purchase the DRE's rather than the optical scanners.

**LEG. ALDEN:**

Thank you.

**MS. GORENSTEIN:**

Can I go just •• could I do the sum•up?

**LEG. ALDEN:**

Actually, if you have it in writing, if you submit it, we'll all get it, because ••

**MS. BURKHARDT:**

They did.

**LEG. ALDEN:**

Yeah, you're over the limit.

**LEG. BISHOP:**

Do you have any information that we're not doing the optical scanners?

**LEG. ALDEN:**

So you're cutting into time of other people ••

**LEG. BISHOP:**

I had heard we're doing the optical scanners.

**LEG. ALDEN:**

•• so I'm going to have to ask you to stop right now.

**MS. GORENSTEIN:**

Oh, does he •• you can ask ••

**LEG. ALDEN:**

Next up is Ruth Regan. Good morning.

**MS. REGAN:**

Good morning. My name is Ruth Regan and I'm from Stony Brook. I represent the League of Women Voters, which recommends optical scanners over DRE voting machines.

I particularly am concerned about the relative reliability of these two systems. Optical scanners use wonderful tried and true technology, pencils, paper, and a scanner, which has been commonly used by schools, the lottery, and many other situations. There's nothing particularly esoteric about it. On the other hand, the DRE's are really little computers and they have all the problems of computers. Now, consider the relative reliability in the event of a power failure. If you have a power failure with optical scanners, you just have to wait awhile until the power comes back on and then scan them. With a •• with DRE's, you wouldn't know what •• how much data you lost, because when it's lost, it's lost.

Another thing is the reliability of programming. We have 351 polling places in Suffolk County. I think that almost all of them have a different set of •• combination of election districts and different kinds of districts within it,

which means that each one of them would have to be 351 different patterns for programming. This is just begging for trouble. I mean, how many programmers are there in the world that could possibly program 351 without making any mistakes?

The third thing is reliability of the hardware. Computer bugs are so well known. I mean, it's part of the language now. How many times have you gone to Macy's or called any office for help, even a bank, and someone would •• "Can you come back tomorrow, because our computers are down right now"? So we would have the cost •• and the computers get down very easily. All you have to do is trip over a cord, a cable, and pull it out, pull it out of a wall. People who aren't really very careful step on the ends of cables, so that it squishes the connect •• the electrical connection and then you ruin the computer connection, and that's in addition to the power.

So, I beg of you to require the Boards of Election in Suffolk, or the Board of Election in Suffolk County to choose optical scanners over DRE machines when going through this big transformation. Thank you.

**LEG. ALDEN:**

Thank you. Next we have Holly Rhodes Teague. Good morning.

**MS. RHODES TEAGUE:**

Hello. I just wanted to speak •• I just wanted to speak about two resolutions that are coming through this afternoon on Certificate of Necessities. The two resolutions are being done by CN because I just received the award letters from the State within the last month, month•and •a•half. The first one is to accept \$50,000 for the new Long•Term Care Insurance Education and Outreach Program. We will be contracting out for that service, and what it is, to try to educate the public on long•term care insurance, and that way they would be better able to select a plan and possibly pay for one and keep the Medicaid cost to the County down by taking on personal responsibility. So that's 100% State funding.

The second one is additional funding for the expanded In•Home Services to the Elderly Program. The funding for that is 90%. And what we •• we'll be receiving 672,400 •• \$672,412 from the State. The County has to put in

73,184. We'll be hiring five caseworker trainees, one account clerk typist, and one senior neighborhood aide, and that's to provide home care and case management to the elderly, so it's a 90%/10% funding. So I'm asking for your support for that when it comes up for a vote this afternoon.

**LEG. ALDEN:**

Thank you. Okay. Next up is Assistant Chief Dominick Varrone.

**ASST. CHIEF VARRONE:**

Good morning.

**LEG. ALDEN:**

Good morning.

**ASST. CHIEF VARRONE:**

Thank you for giving me the opportunity to briefly speak on one item. I've been asked by the Police Commissioner to reiterate his position regarding Resolution 2059, the False Alarm Law legislation, which you may consider this afternoon. The Commissioner remains unconvinced that this legislation is necessary.

Under Commissioner Dormer's direction during the past year, the Police Department has identified commercial establishments that had 20 or more false alarms in the previous six-month period. After a warning visit by a police supervisor, followed by a letter from the Police Commissioner, these establishments were placed on a no-response list until they presented documented evidence of repair to their system. This policy has been effective in reducing a number of false alarm that our department has to respond to. And although the pending resolution has been amended to include a no-response clause, it is the opinion of the Department that the criteria established may not be stringent enough to discourage or have these alarms repaired.

Referring to the fine schedule, hypothetically, if an establishment had eight alarms per year, two within each three-month period, it would result in a zero fine or sanctions. Additionally, a no response after a permit holder has incurred a total fine fee of \$950 might not be effective against some

commercial establishments, as well as eight or more false alarms to be admitted in any three-month period. I refer to our most flagrant violator commercial establishment, which averaged about 300 false alarms per year.

Finally, the Police Commissioner feels that it is not a police function to administer permits or licenses, and it's more •• would be more appropriate to consider another agency that might better be able to perform that function, mainly the Department of Consumer Affairs. And I thank you.

**LEG. ALDEN:**

Thank you. Next up, we have John Turner. Good morning.

**MR. TURNER:**

Good morning, members •• good morning members. Is it on?

**LEG. TONNA:**

It's on.

**MR. TURNER:**

Members of the Legislature, it's a pleasure to appear before you today. What I want to speak about briefly was resolution •• Introductory Resolution 2138, which is a very important resolution in an environmental context, because it would honor one of the greatest environmentalists and naturalists that Suffolk County has ever produced, and a great Town of Brookhaven resident, and that is Dennis Puleston. And before going on, I just want to express appreciation to County Executive Steve Levy and Legislators Peter O'Leary and Brian Foley for introducing the resolution to rename a significant park complex within the Pine Barrens, that is the Warbler Woods area, in Dennis' memory.

Dennis was truly a remarkable human being. He traveled around the world on a seven-year journey and spent a couple of years in the Caribbean. The story goes that he actually launched •• when he decided to leave that Caribbean Island he lived on for a couple of years to continue his journey, he got shipwrecked off Cape Hatterus and he swam ashore, and that's how he came to the United States. He fell in love with Long Island and

Brookhaven Hamlet in particular, and it was there that he began to focus on the wildlife that was found in that area.

He had an intense passion for birds, and that love for birds grew to a love for the environment, which resulted in he being the first Chairman of the Environmental Defense Fund, which, as you may know, is now a nationally renowned environmental organization that got its very start in the Setauket area of Brookhaven Town.

Dennis was influential in being able to have DDT banned. That is one of the greatest environmental success stories in the Twentieth Century, and he played an essential role in that. And it's interesting the way he •• the role he played in that, you know, perhaps from his wonderful book called the Nature Journal. He was a very accomplished artist and liked to paint wildlife. Well, he was involved in the trial that this was taking place to try to ban DDT. A lawsuit brought by the Environmental Defense Fund back in 1967 against the Suffolk County Mosquito Control Commission, and the Judge was having trouble understanding the ecological and food chain, food web impacts of DDT. It was just too theoretical and ambiguous to the Judge at that time. And Dennis then overnight came up with a series of paintings where he actually painted an osprey and then painted a fish, and painted other smaller species of fish. He painted some marsh or estuarine food webs and food chains that were able to be shown to the Judge the next day and convinced the Judge. He immediately crystalized the concept and understood what it took. And that's just one of many, many things Dennis did. And so I really think it's a wonderful idea that the Suffolk ••

**LEG. BISHOP:**

We're not naming anything after that Judge, I hope.

**MR. TURNER:**

Not that I'm aware of. It's just absolutely wonderful that the Legislature is considering honoring Dennis' memory by dedicating a part of Warbler Woods, and I want to express my strong, again, appreciation and support for the adoption of the resolution.

**LEG. ALDEN:**

Thank you very much.

**LEG. TONNA:**

Could we vote on it now?

**LEG. ALDEN:**

We have two more cards, so then we can vote on it. Next, Ernie Mattace.  
Good morning.

**MR. MATTACE:**

Good morning. Thank you for the opportunity to speak before you. I'm here to speak on Intro 1778, and it's adopting a salary plan for employees who are excluded from the bargaining units at Suffolk Community College and elsewhere.

Through life everybody has the opportunity to wear many different hats, and thanks to all of you here, you gave me the opportunity to become a Trustee at Suffolk Community College. I have no problem speaking, but part of this resolution deals with management increases, and most of you know that I deal and work every day with unions on the opposite side. So I feel that it's important that we do go ahead with this, we do pass this, and as a Trustee and as a Labor Leader, I'd like to see this passed.

Thank you for your time, and I wish you all a happy and safe Thanksgiving, you and your families.

**P.O. CARACAPPA:**

Thank you.

**LEG. ALDEN:**

Thank you. Same to you. Okay. Next up, we have Richard LaValle.

**CHIEF DEPUTY COMMISSIONER LAVALLE:**

Good morning.

**P.O. CARACAPPA:**



Good morning.

**LEG. ALDEN:**

Good morning.

**CHIEF DEPUTY COMMISSIONER LAVALLE:**

I'm here this morning in support of a Certificate of Necessity, which would be submitted later today, in connection with I.R. 2286, which amends the 2005 Capital Budget and Program, and appropriates funds in connection with the restoration of the beaches at Smith Point County Park.

During this past winter there was significant erosion along the beach at Smith Point, not only in front of the pavilion and the camping area, but further to the east, where there were a number of wash•overs, which we tried unsuccessfully to handle at that time. In anticipation of further erosion during this winter, we have established long•term and short•term plans to deal with the erosion problems at Smith Point. One of the short•term plans involves the renourishment of the beach area in front of the main pavilion, as well as the camping area, and to also deal with the issue of the wash •over further to the east of the camp area.

This resolution provides 2 million dollars for us to retain a contractor, ocean going contractor, to dredge and place material at these areas, which require renourishment. The reason for the Certificate of Necessity is that this work has to be completed by March 31st of 2006 in order to adhere to the appropriate environmental permitting agency requirements. In order to meet that guideline, we basically have to give the contractor at least two weeks •• two months prior notification to perform this dredging. It will take probably about a month to do the actual work, but most of the dredges •• dredging operations that deal with this issue come from areas such as Louisiana and the Midwest of the country, so the availability of this equipment requires us to give them notification far in advance. In order to meet those guidelines, we basically have to have a contract in place in January of this year, which means we have to bid the project in early December in order to meet those guidelines and expedite the contractual process.



So the necessity •• the Certificate of Necessity is important for us to commence the bidding process in early December, and we require that this about done at this time, at this meeting, hopefully, in order to expedite the entire process and meet the dredging guidelines.

**LEG. VILORIA•FISHER:**

Mr. Chair, this isn't a question•question. I would just like to know if somebody from DPW is going to be here later on to address this in case we have questions.

**P.O. CARACAPPA:**

If that's a request ••

**LEG. VILORIA•FISHER:**

Yes.

**P.O. CARACAPPA:**

•• I'll make sure that request, hopefully, will be adhered to.

**CHIEF DEPUTY COMMISSIONER LAVALLE:**

Do you have any idea when later on would be?

**LEG. VILORIA•FISHER:**

You know what, Rich ••

**P.O. CARACAPPA:**

This is the •• this is the Suffolk Legislature.

**LEG. VILORIA•FISHER:**

•• maybe I'll just try to ask you questions outside.

**CHIEF DEPUTY COMMISSIONER LAVALLE:**

Okay, that will be fine. If anyone else has questions on this, I'd appreciate •  
• I'll be happy to meet anyone out in the lobby area and respond to any comments or concerns you may have. But it is an important issue, it's

important to Smith Point. We lost a lot of revenue for outer beach activity, because we had to close the outer beach during the entire summer season, and we lost a lot of beach where the recreational •• the people who swim, and what have you. So there's •• I think the revenue for Smith Point overall is about 25% of the Parks budget. So this is a critical •• this is a critical operation that needs to go forward, and we need the support of the entire Legislature, or at least the majority of the Legislature. Thank you very much.

**P.O. CARACAPPA:**

Thank you, Commissioner. I have no other cards. Anyone else wishing to be heard? There's a motion by myself, second by Legislator O'Leary, to close public portion. All in favor? Opposed? Abstentions? Public portion is closed.

At this point in time, I'll ask •• I'm going to ask for ten•minute recess, so they can have brief discussions with the Minority Leader on ••

**LEG. TONNA:**

Is it going to be really ten minutes?

**P.O. CARACAPPA:**

Really ten minutes just over some veto items. We will be back at exactly ten•to.

**LEG. SCHNEIDERMAN:**

Joe, do you want to take that renaming bill out for Warbler Woods?

**P.O. CARACAPPA:**

What?

**LEG. SCHNEIDERMAN:**

Somebody suggested taking the renaming of the Warbler Woods the ••

**P.O. CARACAPPA:**

We will as soon as we come back, ten minutes. Ten minutes.

***[THE MEETING WAS RECESSED AT 10:35 A.M. AND RESUMED AT 11:45 A.M.]***

**P.O. CARACAPPA:**

Roll call.

**(Roll Called by Mr. Barton, Clerk)**

**LEG. CARACCILO:**

(Not Present)

**LEG. SCHNEIDERMAN:**

(Not Present)

**LEG. O'LEARY:**

Yes.

**LEG. VILORIA • FISHER:**

Here.

**LEG. LOSQUADRO:**

Present.

**LEG. FOLEY:**

Present.

**LEG. LINDSAY:**

Here.

**MR. MONTANO:**

Here.

**LEG. ALDEN:**

Here.

**LEG. KENNEDY:**

(Not Present)

**LEG. NOWICK:**

Here.

**LEG. BISHOP:**

Here.

**LEG. MYSTAL:**

Here.

**LEG. BINDER:**

Here.

**LEG. TONNA:**

(Not Present)

**LEG. COOPER:**

(Not Present)

**D.P.O. CARPENTER:**

(Not Present)

**P.O. CARACAPPA:**

Here.

***[Legislator Kennedy Entered the Auditorium]***

**MR. BARTON:**

Thirteen, Mr. Chairman. (Not Present: Legs. Caracciolo, Schneiderman, Tonna, Cooper and Carpenter)

**P.O. CARACAPPA:**

Thank you. We're going to go to the Consent Calendar. Motion by myself to approve, second by Legislator Binder. All in favor? Opposed? Abstentions? Consent Calendar is approved. Moving forward to tabled resolutions, page •

•

**MR. BARTON:**

16, Mr. Chairman. (Not Present: Legs. Caracciolo and Carpenter)

**P.O. POSTAL:**

Page 8. While everyone's flipping over, I'd just like to thank Legislator Alden for handling the public portion for me while I hosted the McNaughton Family. Thank you, Legislator Alden.

**LEG. FOLEY:**

Masterful job, masterful job.

**LEG. ALDEN:**

Thank you. Thank you.

**LEG. MYSTAL:**

Masterful job.

**P.O. CARACAPPA:**

Page 8, ***1086 (A Charter Law to create the Real Estate Acquisition Anti-Corruption Reform Act)***. Is there a motion to table by Legislator Binder?

**LEG. BINDER:**

What?

**P.O. CARACAPPA:**

1086.

**LEG. BINDER:**

Motion to table?

**P.O. CARACAPPA:**

I'm just, is •• I said, "Is there a motion?"

**LEG. BINDER:**

Yeah.

**P.O. CARACAPPA:**

Okay. Second by myself. All in favor? Opposed? Abstentions? It's tabled?

**MR. BARTON:**

16. (Not Present: Legs. Caracciolo and Carpenter)

**P.O. CARACAPPA:**

***1694 (Authorize the commencement of Eminent Domain Proceedings for Mediavilla property, Town of Huntington).*** Same motion, same second, same vote.

**MR. BARTON:**

16. (Not Present: Legs. Caracciolo and Carpenter)

**P.O. CARACAPPA:**

***2102 (A Local Law to promote the health of Suffolk County residents by restricting the use of toxic lawn chemicals by unlicensed applicators in Suffolk County).***

**LEG. SCHNEIDERMAN:**

Motion to approve.

**P.O. CARACAPPA:**

Motion to approve by Legislator Schneiderman. Is there a second?

**LEG. SCHNEIDERMAN:**

Motion to •• somebody make a motion •• I'll make a motion to table.

**P.O. CARACAPPA:**

Motion to table, second by myself. All in favor? Opposed? Abstentions?

**MR. BARTON:**

16. (Not Present: Legs. Caracciolo and Carpenter)

**P.O. CARACAPPA:**

**1110 (Amending the 2005 Operating Budget and the Salary and Classification Plan to establish a Compliance Officer to insure accountability).** Motion to table by myself, second by Legislator O'Leary. All in favor? Opposed? Abstentions?

**MR. BARTON:**

16. (Not Present: Legs. Caracciolo and Carpenter)

**P.O. CARACAPPA:**

**1129 (Amending the 2005 Operating Budget to streamline and consolidate County government by eliminating the proposed separate Department of Environment and Energy).** Same motion, same second, same vote.

**MR. BARTON:**

16. (Not Present: Legs. Caracciolo and Carpenter)

**P.O. CARACAPPA:**

**1300 (A Local Law to establish a County policy to enhance zoning and building code enforcement by Town and Villages to protect Suffolk residents from substandard rental housing).** I am •• I am updating this one last time, and it will be ready for approval at the next meeting. So, you'll be getting •• there'll be additional money for the Town of Brookhaven to hire more inspectors, Supervisor Elect.

**LEG. FOLEY:**

They've always been very cooperative.

**P.O. CARACAPPA:**

Okay. Motion to table by myself, second by Legislator Foley. All in favor? Opposed? Abstentions?

**MR. BARTON:**

16. (Not Present: Legs. Caracciolo and Carpenter)

**P.O. CARACAPPA:**

**1349 (Directing the Director of Real Estate to locate property to re**

**•establish Police Department Field Office in Huntington Village).**  
Legislator Binder, what's your pleasure?

**LEG. BINDER:**

Motion to table.

**P.O. CARACAPPA:**

Motion to table, second by myself. All in favor? Opposed? Abstentions?

**MR. BARTON:**

16. (Not Present: Legs. Caracciolo and Carpenter)

**P.O. CARACAPPA:**

***1634 (Requesting legislative approval of a contract award for brokerage services for the procurement of HMO reinsurance for the Department of Health Services, Suffolk Health Plan).***

**LEG. O'LEARY:**

Motion.

**P.O. CARACAPPA:**

Motion to approve by Legislator Foley, second by myself. All in favor?  
Opposed? Abstentions?

**MR. BARTON:**

16. (Not Present: Legs. Caracciolo and Carpenter)

**P.O. CARACAPPA:**

***1645 (To authorize new Bay Shore Health Center).*** Legislator Alden?

**LEG. ALDEN:**

I don't think •• I don't think the County Health Department or anybody else is ready to go forward with this one.

**P.O. CARACAPPA:**

Motion to table by yourself, second ••



**MR. MONTANO:**

Second.

**P.O. CARACAPPA:**

Second by Legislator Montano. All in favor? Opposed? Abstentions?

***1685, 85A (Appropriating funds in connection with the purchase of equipment for groundwater monitoring and well drilling (CP 8226)).***

**MR. BARTON:**

16. (Not Present: Legs. Caracciolo and Carpenter)

**LEG. FOLEY:**

I'll make the motion.

**P.O. CARACAPPA:**

Motion to approve by Legislator Foley.

**LEG. O'LEARY:**

Second.

**P.O. CARACAPPA:**

Second •• where did that second come from? Legislator O'Leary. Roll call.

**(Roll Called by Mr. Barton, Clerk)**

**LEG. FOLEY:**

Yes.

**LEG. O'LEARY:**

Yes.

**LEG. CARACCILOLO:**

(Not Present)

**LEG. SCHNEIDERMAN:**

Yes.

**LEG. VILORIA • FISHER:**

Yes.

**LEG. LOSQUADRO:**

Yes.

**LEG. LINDSAY:**

Yes.

**LEG. MONTANO:**

Yes.

**LEG. ALDEN:**

Yes.

**LEG. KENNEDY:**

Yes.

**LEG. NOWICK:**

Yes.

**LEG. BISHOP:**

Yes.

**LEG. MYSTAL:**

Yes.

**LEG. BINDER:**

Yes.

**LEG. TONNA:**

(Not Present)

**LEG. COOPER:**

Yes.

**D.P.O. CARPENTER:**

(Not Present)

**P.O. CARACAPPA:**

Yeah.

**MR. BARTON:**

15, 3 not present on the bond. (Not Present: Legs. Caracciolo, Carpenter and Tonna)

**P.O. CARACAPPA:**

Same motion, same second, same vote on the companion resolution.

***1714 (To renew, reauthorize, revise and revamp the Suffolk County Downtown Revitalization Program).***

**LEG. MONTANO:**

Motion to table.

**P.O. CARACAPPA:**

Motion to table, Legislator Montano, second by myself. All in favor?  
Opposed? Abstentions?

**MR. BARTON:**

15. (Not Present: Legs. Caracciolo, Carpenter and Legislator Tonna)

**P.O. CARACAPPA:**

***1743 (Transferring a right of reverter to the Town of East Hampton (SCTM No. 0300•147.00•03.00•001.000)).***

**LEG. SCHNEIDERMAN:**

I'm going to withdraw this bill.

**P.O. CARACAPPA:**

Withdrawn. ***1765, 65A (Appropriating start•up fund in connection with the acquisition of properties for the County share for the reconstruction of CR 67, Motor Parkway at LIE Exit 55, Towns of***

***Islip and Smithtown (CP 5172).*** Is there a motion?

**LEG. KENNEDY:**

Motion to approve.

**MR. MONTANO:**

Motion.

**P.O. CARACAPPA:**

Motion to approve by Legislator ••

**MR. MONTANO:**

Second.

**P.O. CARACAPPA:**

•• Kennedy, second by Legislator Montano. Roll call.

**(Roll Called by Mr. Barton, Clerk)**

**LEG. KENNEDY:**

Yes.

**LEG. MONTANO:**

Yes.

**LEG. SCHNEIDERMAN:**

Yes.

**LEG. O'LEARY:**

Yes.

**LEG. VILORIA • FISHER:**

Yes.

**LEG. LOSQUADRO:**

Yes.

**LEG. FOLEY:**

Yes.

**LEG. LINDSAY:**

Yes.

**LEG. ALDEN:**

Yes.

**LEG. NOWICK:**

Yes.

**LEG. BISHOP:**

Yes.

**LEG. MYSTAL:**

Yes.

**LEG. BINDER:**

Yes.

**LEG. TONNA:**

Yes.

**LEG. COOPER:**

Yes.

**D.P.O. CARPENTER:**

Yes.

**P.O. CARACAPPA:**

Yes.

**MR. BARTON:**

17, 1 not present on the bond. (Not Present: Legs. Caracciolo)

**P.O. CARACAPPA:**

Same motion, same second, same vote on the companion resolution.

***1818 (A Charter Law to secure private property rights).***

**LEG. BINDER:**

Motion to table.

**P.O. CARACAPPA:**

Motion to table, Legislator Binder, second by myself. All in favor?  
Opposed? Abstentions?

***1831 (Implementing the Water Quality Protection Program for the Connetquot River in the Town of Islip).***

**LEG. ALDEN:**

Motion to approve.

**MR. BARTON:**

17. (Not Present: Leg. Caracciolo)

**P.O. CARACAPPA:**

Motion to approve by Legislator Alden. I'll second that motion.

**LEG. LINDSAY:**

Somebody refresh our memory on this one.

**P.O. CARACAPPA:**

Counsel or ••

**LEG. ALDEN:**

This is using the 477 money in •• over in Great River, there's a number of streets that run together and then the water run down this one •• it's a dead •end stub right into the Connetquot River, and they're getting a lot of pollution in it. This would actually put in some of those filters to clean the water up before it goes into the •• discharges into the River.

**P.O. CARACAPPA:**

I think that actually fits the criteria, and we're actually using the money for what it was meant for. Could that be?

**LEG. LINDSAY:**

It's a Town road?

**LEG. ALDEN:**

It's a Town road.

**LEG. BISHOP:**

On the motion.

**P.O. CARACAPPA:**

Legislator Bishop.

**LEG. ALDEN:**

The Town doesn't have this program.

**LEG. BISHOP:**

I'm not going to oppose the resolution, I'm just going to point out that there is a bill pending that Legislator Montano and I have which would establish that when we do a project with another municipality, that they'll be required to put up 50% of the money. So we may want to think about adopting that initiative.

**P.O. CARACAPPA:**

Thank you. There's a motion and a second. All in favor? Opposed? Abstentions?

**MR. BARTON:**

17. (Not Present: Legs. Caracciolo)

**P.O. CARACAPPA:**

***1994 (To enact "Alec's Law" to help protect Suffolk children from SUV accidents).***

**LEG. ALDEN:**

Motion to table.

**P.O. CARACAPPA:**

Motion to table ••

**D.P.O. CARPENTER:**

Second.

**P.O. CARACAPPA:**

•• by Legislator Alden, second by Legislator Carpenter.

**P.O. CARACAPPA:**

Okay. Before we go on to Page 9, I'd like to skip over to the vetoes ••

**MR. BARTON:**

17. (Not Present: Leg. Caracciolo)

**P.O. CARACAPPA:**

•• on Operating Budget. There's a veto summary description before you. What's been done this year, as in the case of many other years, is Omnibus Budget Amendment, which is 1 and 2, which is mandated and discretionary, there have been some line item vetoes, and we usually make a motion to take those as a whole or to do them separately. Before I make that motion for that, I'd like to ask Counsel, can we do 1 and 2 together, or because one's mandated and one's discretionary we had to ask for a voting as a block separately, so to speak; first do one as •• all Budget Amendment 1 veto line items, then do 2 as a block, and then we'll do the stand•alones just as that, stand•alones.

**MS. KNAPP:**

Yes, they should be done as two separates.

**P.O. CARACAPPA:**

Very good. So, with that being said, I'll make a motion to take all Budget Amendment 1 line item vetoes as one, second by Legislator Carpenter. Roll call.



**(Roll Called by Mr. Barton, Clerk)**

**P.O. CARACAPPA:**

Yes.

**D.P.O. CARPENTER:**

Yes.

**LEG. SCHNEIDERMAN:**

Pass.

**LEG. O'LEARY:**

Yes.

**LEG. VILORIA • FISHER:**

No.

**LEG. LOSQUADRO:**

Yes.

**LEG. FOLEY:**

No.

**LEG. LINDSAY:**

No.

**LEG. MONTANO:**

No.

**LEG. ALDEN:**

Yes.

**LEG. KENNEDY:**

Yes.

**LEG. NOWICK:**

Yes.

**LEG. BISHOP:**

No.

**LEG. MYSTAL:**

No.

**LEG. BINDER:**

Yes.

**LEG. TONNA:**

No.

**LEG. COOPER:**

Nope.

**LEG. SCHNEIDERMAN:**

Abstain.

**MR. BARTON:**

Eight.

**P.O. CARACAPPA:**

Eight; 8•8•1 and 1 not present. (Not Present: Leg. Caracciolo)

**P.O. CARACAPPA:**

Okay. It fails. We'll take them one at a time. Omnicode on Budget Amendment 1. This is ***M004***. Motion by myself to override, second by Legislator O'Leary.

**LEG. VILORIA•FISHER:**

The title.

**P.O. CARACAPPA:**

It provides flexible staffing configuration for District Court Detention in the Sheriff's Office.

**LEG. LINDSAY:**

On the ••

**P.O. CARACAPPA:**

On the motion, Legislator Lindsay.

**LEG. BINDER:**

What about the Resolved Clause that's before that?

**P.O. CARACAPPA:**

All right.

**LEG. BINDER:**

I think you ••

**LEG. LINDSAY:**

Do I have the floor, Mr. Chairman?

**P.O. CARACAPPA:**

Yes you do, Legislator Lindsay.

**LEG. LINDSAY:**

Really, it's a question for Budget Review. The question with this is, in some way, are we double•funding this? The original budget that came over had a designation that the protection provided in the District Court should be done by the Deputy Sheriffs, I believe, and what we did is really put •• tried to put it in a separate fund to generalize it to make that decision the decision of the Sheriff; am I correct?

**MS. VIZZINI:**

That's correct. The recommended budget ••

**LEG. LINDSAY:**

But in the process, did we double•fund this?

**MS. VIZZINI:**

What the omnibus resolution does is, in order to provide a flexibility for the Sheriff to determine what positions, where people will be placed, which, as an elected official, the Sheriff has that flexibility, what we did was we moved 30 positions from the General Fund and their accompanying funding to the General Fund, which is titled District Court. So there is a •• there is a redundancy in terms of positions. I would take exception to referring to that as double•funding, but the positions were aligned under the District Court so that there was maximum flexibility in terms of the functions there.

**LEG. LINDSAY:**

Okay. But there is a redundancy, that's the point.

**MS. VIZZINI:**

Yes, there's both Deputy Sheriffs and Correction Officers.

**LEG. LINDSAY:**

I don't think that was the intent of the working group, and I would ask my colleagues to consider sustaining that veto.

**P.O. CARACAPPA:**

Okay. There's a motion and a second. Roll call.

**(Roll Called by Mr. Barton, Clerk)**

**P.O. CARACAPPA:**

Yes.

**LEG. LINDSAY:**

Motion to override?

**P.O. CARACAPPA:**

This is a motion to override.

**LEG. O'LEARY:**

Yes.

**LEG. SCHNEIDERMAN:**

Pass.

**LEG. VILORIA • FISHER:**

No.

**LEG. LOSQUADRO:**

Yes.

**LEG. FOLEY:**

No to override.

**LEG. LINDSAY:**

No.

**LEG. MONTANO:**

No.

**LEG. ALDEN:**

Pass.

**LEG. KENNEDY:**

Yes.

**LEG. NOWICK:**

Yes.

**LEG. BISHOP:**

No.

**LEG. MYSTAL:**

No.

**LEG. BINDER:**

Yes.

**LEG. TONNA:**

No.

**LEG. COOPER:**

No.

**D.P.O. CARPENTER:**

No.

**LEG. SCHNEIDERMAN:**

No.

**LEG. ALDEN:**

Yes to override.

**MR. BARTON:**

Seven. (Not Present: Leg. Caracciolo)

**P.O. CARACAPPA:**

That's sustained. I skipped over one, ***Budget Amendment 1, Omnicode M, Resolved Clause, Seventeenth Resolved Clause, Correction Officer Contingency Account***. I'll make a motion to override, second by Legislator Carpenter.

**LEG. FOLEY:**

Explanation.

**P.O. CARACAPPA:**

What this does is •• oh, Counsel, do you want to do it?

**MS. KNAPP:**

The Seventeenth Resolved Clause is the clause that we historically have done where we strip off the Resolved Clauses contained in the recommended budget and we use language that say that they are stricken, not adopted and not approved, and in •• because doing that, of course, would take away the Resolved Clause necessary to create the retirement reserve and the reserve for bonded indebtedness and the Tax Stabilization Fund. We put in our own clauses that mirror those of the County Executive's, beginning with the Fourth Resolved Clause and going through the Eighth.

**P.O. CARACAPPA:**

All right?

**LEG. SCHNEIDERMAN:**

I'm still confused as to the effect ••

**MS. SULLIVAN:**

Use your microphone, please.

**LEG. SCHNEIDERMAN:**

I'm still not clear as the effect sustaining or overriding this veto will have on the budget.

**MS. KNAPP:**

If you sustained this veto, the Resolved Clauses that were contained in the recommended budget are reinstated.

**P.O. CARACAPPA:**

Which have significant implications as it relates to things we funded throughout the budget based on the language in the Resolved Clause.

**LEG. FOLEY:**

We do this every year.

**P.O. CARACAPPA:**

Right, we do this every year, Legislator Foley, that's exactly right. This is actually a major component of what we did in Omnibus and the Legislature •as•a•whole amending process. So, in this instance, I would urge my colleagues, as Legislator Lindsay urged sustaining of the prior one, that we do override this veto for this •• for what I stated on the record and for many other reasons that I just don't want to get into right now. So with that, there's a motion and a second. Roll call.

**(Roll Called by Mr. Barton, Clerk)**

**P.O. CARACAPPA:**

Yes.

**D.P.O. CARPENTER:**

Yes.

**LEG. SCHNEIDERMAN:**

Yes.

**LEG. O'LEARY:**

Yes.

**LEG. VILORIA • FISHER:**

Yes.

**LEG. LOSQUADRO:**

Yes.

**LEG. FOLEY:**

Yes.

**LEG. LINDSAY:**

Yes.

**LEG. MONTANO:**

Yes.

**LEG. ALDEN:**

Yes.

**LEG. KENNEDY:**

Yes.

**LEG. NOWICK:**

Yes.

**LEG. BISHOP:**

Yes.



**LEG. MYSTAL:**

Yes.

**LEG. BINDER:**

Yes.

**LEG. TONNA:**

Pass.

**LEG. COOPER:**

Yes.

**LEG. TONNA:**

Yes.

**MR. BARTON:**

17, 1 not present. (Not Present: Leg. Caracciolo)

**P.O. CARACAPPA:**

That's overridden. Moving on to ***Budget Amendment 1, Omnicode M008, of Public Works, provides \$12,810 in the General Fund for retirement in 2006 for the mandated cost associated with the transfers of 1 new entomologist and 1 principal engineering aide from Fund 477 to Fund 001. The associated discretionary salary and fringe benefit cost of \$123,640 is included in the companion discretionary resolution.***

**LEG. BISHOP:**

Motion to override.

**P.O. CARACAPPA:**

Motion to override by Legislator Bishop, second by myself. Roll call.

**LEG. BISHOP:**

On the motion.

**P.O. CARACAPPA:**

On the motion, Legislator Bishop.

**LEG. BISHOP:**

I would urge that •• my colleagues to override this. What we discussed in the Omnibus Committee is that we should draw a line against further erosion of the 477 Account by including new positions to be funded out of it, and use that money for what we feel is the intended purpose, and I hope you agree is the intended purpose •• intended purpose, which is to fund actual projects and not sustaining positions in government.

**P.O. CARACAPPA:**

Are you asking us to stay consistent with what we did a couple of weeks ago in Omnibus.

**LEG. BISHOP:**

With this issue.

**MS. VIZZINI:**

Mr. Presiding Officer, there is a companion to this, D08 ••

**LEG. MYSTAL:**

D08, which is the salaries for the positions in question.

**P.O. CARACAPPA:**

Right. We'll do that when we get down to the Omnibus •• Omni Resolution Budget Amendment 2.

**LEG. LINDSAY:**

Yeah, but we might do the salaries and not do the pension.

**P.O. CARACAPPA:**

Well, we did that •• it's just like we did in the budget.

**LEG. LINDSAY:**

Right.

**P.O. CARACAPPA:**

Okay. There's a motion and a second, roll call.

**(Roll Called by Mr. Barton, Clerk)**

**LEG. BISHOP:**

Yes to override.

**P.O. CARACAPPA:**

Yeah.

**LEG. SCHNEIDERMAN:**

Yes.

**LEG. O'LEARY:**

Yes.

**LEG. VILORIA • FISHER:**

Yes.

**LEG. LOSQUADRO:**

Yes.

**LEG. FOLEY:**

Yes.

**LEG. LINDSAY:**

Yes.

**LEG. MONTANO:**

Yes.

**LEG. ALDEN:**

Yes.

**LEG. KENNEDY:**

Yes.

**LEG. NOWICK:**

Yes.

**LEG. MYSTAL:**

Yes.

**LEG. BINDER:**

Yes.

**LEG. TONNA:**

Yep.

**LEG. COOPER:**

Yes.

**D.P.O. CARPENTER:**

Yes.

**MR. BARTON:**

17, 1 not present. (Not Present: Leg. Caracciolo)

**P.O. CARACAPPA:**

Okay. That's overridden. ***Budget Amendment 1, Omnicode M024, Probation, Changes the designation from mandated to discretionary for respite beds in the amount of \$150,000 with the inclusion of the companion discretionary resolution, which is D024.*** Motion to override by myself.

**LEG. LINDSAY:**

Explanation.

**P.O. CARACAPPA:**

Second by Legislator Losquadro.

**LEG. LINDSAY:**

Could I have the floor, Mr. Chair?

**P.O. CARACAPPA:**

I recognize Legislator Lindsay.

**MS. VIZZINI:**

These are the respite beds that will be required under the changes in the PINS legislation. We do have respite bed contracts. The provision for these services don't meet the definition of what we consider mandated expenditures. It is \$150,000.

**LEG. LINDSAY:**

So the issue here is just whether it's mandated or discretionary.

**MS. VIZZINI:**

Yes. We actually thought it was in error.

**P.O. CARACAPPA:**

Roll call.

**(Roll Called by Mr. Barton, Clerk)**

**P.O. CARACAPPA:**

Yes.

**LEG. LOSQUADRO:**

Yes.

**LEG. SCHNEIDERMAN:**

Pass.

**LEG. O'LEARY:**

Yes.

**LEG. VILORIA • FISHER:**

Yes.

**LEG. FOLEY:**

No.

**LEG. LINDSAY:**

Yes.

**LEG. MONTANO:**

No.

**LEG. ALDEN:**

Yes.

**LEG. KENNEDY:**

Yes.

**LEG. NOWICK:**

Yes.

**LEG. BISHOP:**

Pass.

**LEG. MYSTAL:**

Yes.

**LEG. BINDER:**

Yes.

**LEG. TONNA:**

Yeah.

**LEG. COOPER:**

Yes.

**D.P.O. CARPENTER:**

Yes.

**LEG. SCHNEIDERMAN:**

Abstain.

**LEG. BISHOP:**

Yes.

**MR. BARTON:**

14. (Not Present: Leg. Caracciolo)

**P.O. CARACAPPA:**

It's overridden. Next one, ***Budget Amendment 1, Omnicode M030, DSS/Health, Transfers the Emergency Prescription Voucher Program from DSS to a new appropriation in Health Services in the amount of \$850,000 and changes the program's designation from mandated to discretionary with the companion resolution (D030).*** Motion by myself to override, second by Legislator O'Leary.

**LEG. VILORIA•FISHER:**

On the motion.

**P.O. CARACAPPA:**

On the motion, Legislator Viloría•Fisher.

**LEG. VILORIA•FISHER:**

Gail, I have some questions regarding this particular veto. This is moving •• in the budget omnibus, we had moved the voucher services from Department of Social Services to the Health Department, and that was based on a Budget Review recommendation, which was that there would be easier access for the client to get a voucher, because there's only one place in the Department of Social Services that a person could go to to get these vouchers; is that part of the rationale behind this?

**MS. VIZZINI:**

Yes, there were actually three points we had •• three things we hoped to accomplish to provide the medical oversight, which is not present in DSS, to

maximize enrollment of these participants in the HMO programs or other programs that would hopefully reduce the costs of the Emergency Prescription Voucher Program, and, as you mentioned earlier, to provide some geographic accessibility, that they would go to the clinics.

**LEG. VILORIA•FISHER:**

Now, the voucher program itself is not a medical program, the voucher program is a finance•based or income•based eligibility, isn't it? I mean that's why DSS was doing •• they didn't have to make a medical decision in order to give someone a voucher, did they?

**MS. VIZZINI:**

The clients are coming in with prescriptions ••

**LEG. VILORIA•FISHER:**

Right.

**MS. VIZZINI:**

•• on an emergency basis, either discharged from hospitals, or other institutions, or other circumstances. So we thought that it would serve it well that there would be some medical oversight in terms of evaluating the client and determining that, in fact, the prescription which they were coming in for was something that was correct and needed.

**LEG. VILORIA•FISHER:**

Gail, who are the people who are falling into this category, because there are many prescription •• there are many programs that cover prescription costs for the people who are the poor in Suffolk County. Who falls into this category?

**MS. VIZZINI:**

I believe predominantly people who are being discharged from institutions or emergency rooms that may or may not be Medicaid eligible, that, quite frankly, the Department of Social Services is •• you can't •• we can't require these individuals to complete applications for HMO's or, you know, health •• Suffolk Health Plan. But the Health Department is resourced and staff with Neighborhood Aides whose job it is to take information and to fill out the



applications, etcetera, etcetera.

**LEG. VILORIA•FISHER:**

So, basically, if we sustain this veto, we're suggesting that someone who's leaving the hospital who is very ill would then perhaps •• if they're poor, that person doesn't have access to transportation and would travel from •• let's say, if they live in Riverhead, would have to travel to Smithtown to get this voucher?

**MS. VIZZINI:**

That's the current case. That is the circumstance that we •• that you describe, that's the way it exists now. This is an effort to allow greater geographic accessibility with the distribution of the health centers and see if the Health Department can provide the service, but also contain the costs at the same time.

**LEG. VILORIA•FISHER:**

Gail, what's the difference in cost?

**MS. VIZZINI:**

We took the funding, lock, stock and barrel, and moved it from one department to the other. There is Medicaid reimbursement to some extent on a portion of this, but it is a voluntary program that the policy decision has been made to continue it.

**LEG. VILORIA•FISHER:**

I'm going to be supporting the override on this, because I believe that we have to move from bean•counting to social justice. And one of the great tragedies in our country is the lack of access to health services and health needs for the poor, and I feel that we should do everything we can to provide that access.

**LEG. LINDSAY:**

Mr. Chairman.

**P.O. CARACAPPA:**

There's a list. Legislator Tonna, you're on.

**LEG. TONNA:**

I just wanted to •• it's a •• we already having a doctor looking at them, hence the prescription, right?

**LEG. MYSTAL:**

Yeah.

**LEG. TONNA:**

So my point is ••

**MS. VIZZINI:**

No, they come in with the prescription.

**LEG. TONNA:**

Right. So it's not like •• I mean, I wouldn't want another doctor looking at something and making a health evaluation based on this person has a prescription, whoever they are. They already have an existing prescription, so they're already under a doctor's care at one level or another. The concern that I have is it seems to me that Social Services is best fit for taking care of the indigent. And I don't know why we would •• we would get the Health Department from the standpoint •• excuse me? The professionals already wrote the prescription; okay? Why would I want a duplication of that and get the Health Department involved when, really, this is an issue from the Social Services standpoint? It's an issue of the need, financial need, that's what this is an issue of. And so I just see that it's best left in Social Services Department.

**P.O. CARACAPPA:**

Legislator Kennedy.

**LEG. KENNEDY:**

My understanding with this program is that it is used by a wide array of folks. There's a very significant mental health component to this. And while to a certain extent I agree with my colleague, Legislator Tonna, that, yes, there is evaluation, most often in an emergency room setting, very often

that is only for the immediate need that an individual might be presenting with and not a holistic evaluation as far as what the full gamut of needs that an individual might have. So I would disagree with him, and I feel that the Health Department clinics might more aptly be able to go ahead and look at the full range of needs associated with an individual, as well as the fact that there are Department of Social Service folks collocated at the clinics, so that an individual would get the dual benefit of the financial aspect, as well as the comprehensive health aspect. I believe it's better suited in the Health Department. Thank you.

**P.O. CARACAPPA:**

Legislator Mystal.

**LEG. MYSTAL:**

From what I understand, we are one of the only counties of the 62 counties in New York who provide this program •• who provide this program. And, as Legislator Tonna already said, when they walk in, they walk in with a prescription. Now, it is the Social Services' job to find a way to say whether or not that person deserves or is eligible for that program. We are providing the program, number one, and, again, one of 60 •• one of 62 counties; two, Social Services usually make the determination as to who is eligible and who is not. To push that on top of the Health Department, which is already overburdened, to make a designation of eligibility for the patient to me is erroneous and we should not be doing that. Plus, the Social Services Department already has in place all the forms and all the different methodologies to deal with those people. I don't know why we want to shift it over to the Health Department. They don't have the people to do it.

**P.O. CARACAPPA:**

Legislator Lindsay.

**LEG. LINDSAY:**

I think this •• I'm partially responsible for this, because in the budget talks, I was concerned about accessibility is the whole issue here. Last evening, I had a discussion with the Commissioner of Social Services about it, and she was explaining that it's really a program that could be subject to fraud, and that she felt that her department was better equipped to handle the

program as far as establishing eligibility.

My question, and I still have a question, and I'd like •• I see Mr. Sabatino at the mike, maybe he could answer it, if we were to keep it in Social Services, can't we make this program available at more than one Social Service site? I mean, it's in Smithtown. What about the person that's discharged in Riverhead that's poor, that can't afford to pay for that emergency prescription, has to somehow find public transportation that's sick to Smithtown to get the voucher •• to fill the prescription?

**MR. SABATINO:**

Well, it's an excellent point. There are several answers. The first answer is that to go to a second site would require additional staff. That's something that perhaps could be accommodated. But I want to emphasize that there's currently a program in place at the health centers where relationship with pharmaceutical companies allows on a one•shot basis to get an emergency prescription filled for, you know, certain individuals.

Going back to the history of the program, though, I think it's real important just to put it in perspective. A couple of points is that after the Federal Welfare Reform Act of 1996 was adopted, programs like this all across the country were actually abolished. To Suffolk County's credit, we are the only county in the state that still has the program in place. However, when we came into office in 2004, you know, we discovered that the cost of the program would just head straight up on an increased cost basis with no end in sight to those costs. So we had sat down with Commissioner DeMarzo and Commissioner Harper in September of 2004 to take a look at what was happening with the program, you know, why were costs escalating, you know, why are we the only county in the state that's providing for it?

Now, some people advocated for the abolition of the program, completely whip it out, because there are other programs. We took the moderate measured approached, which was, number one, we're not going to abolish the program. That was, you know, step number one. But number two was we directed the Commissioner of Social Services to put together criteria, eligibility, a forms process, so that we could get a handle on what was happening. It took about six months to get those reforms in place, so

roughly the last six or eight months we've actually had the experience of the new process working with Social Services handling the paperwork and the prescriptions coming out of the Health Department. Two things have come out of that. Number one, the costs are beginning to level off and actually decline. So, just tightening up the paperwork process, because there was never even a form to be filled out under the prior administration, we're still delivering the critical emergency prescription to people that need it, but we're now doing it in a way where, you know, you're not going to get people just getting repeat prescriptions if they're not entitled to it.

Point number two is that, I know it's anecdotal, but I think it's significant, that over the last eight months that the reforms have been in place, we haven't seen an outcry or, you know, people wandering the streets in search of medication. That's significant to me, because one of the first questions I asked the Health people and Social Services in 2004 is, you know, "What's happening in Nassau County? What's happening in other counties? How are these people being accommodated?"

So Social Services and Health Department both feel very strongly that the transfer should not take place. Health feels that they won't be able to handle it as effectively. We've got something that's working. I would suggest that if a year from now somehow the anecdotal experience that I've just described changes and suddenly we're getting a barrage of people who claim that they're not getting that drug of last resort, we could revisit the issue at that point. But I think it would be unwise at this juncture, when something is actually working administratively, based on the reforms that we put in place in September of 2004, to throw that out and watch the cost of the program escalate again.

And, again, I want to emphasize in a closing thought, we're not abolishing the program, we're not terminating the funding. We're going to continue to deliver the service, but we think more effectively.

**LEG. LINDSAY:**

Before you leave, could I just follow•up with a question? I still have the mike, right, the floor?

**P.O. CARACAPPA:**

You do. Did you get an answer?

**LEG. LINDSAY:**

I'm not sure.

**P.O. CARACAPPA:**

No, I don't think you did.

**LEG. LINDSAY:**

Paul, I basically agree with everything that you just said, with the one exception, accessibility. Why can't we make •• if we sustain this veto, why can't we make this program available at one of the East End Social Service sites?

**MR. SABATINO:**

We may be able to with additional staff, but what I'm suggesting right now •  
•

**LEG. LINDSAY:**

Yeah, but wouldn't it pay to put on another person ••

**MR. SABATINO:**

It would take another person.

**LEG. LINDSAY:**

•• if you're saving so much money with this program?

**MR. SABATINO:**

It would take another person, and perhaps from the savings that we're generating, we could do that. All I'm saying is that, you know, today, at this particular moment, I can't commit to you putting the person out there, because, right now, we don't have •• we don't have the empirical data or anecdotal experience that there is a problem. But I'm suggesting to you and I'm committing to you that if it turns out, as we progress through the program, as the anecdotal experience and the empirical data comes in, if it turns out that I'm wrong, that Health Services is wrong and Social Services



is wrong, we'll make that accommodation and we'll do it from the savings in the budget that we're getting out of the reforms we put in place.

**P.O. CARACAPPA:**

Legislator Alden.

**LEG. ALDEN:**

I still have the same problem that I think Legislator Vilorio•Fisher has and that's, you know, if somebody is discharged even from Bay Shore to get to Smithtown, because we're talking about the strata of society that doesn't have any money, otherwise they wouldn't be eligible for the program in the first place. So the statement, Paul, with all due respect, the statement that you made that we don't •• we don't know, or we don't know how many people that are wandering the streets that couldn't get their prescriptions filled, that •• we're not going to get feedback on that, because they're not going to show up anywhere else. There's no way for Suffolk County to gather the statistics. And those people that wouldn't have the prescription filled, they're not •• they're not registered someplace else in Suffolk County where we're going to have that empirical data to see whether their quality of life was severely impacted by not being able to get an emergency prescription filled.

So, if there's some way that we can make this available at the health centers, I would truly like to see that. And we do have intake people that determine eligibility at each health center. So I'm not so sure that the answer that you got from the Commissioner of Health was a well thought out, complete answer that he couldn't do it with the current people that they have in place, because I know we do establish criteria when somebody comes into the health center whether they pay in full, whether they pay a portion, or whether they pay nothing. So that's an eligibility standard that I think that we could apply that to this and then make this more available, you know, county•wide, rather than have somebody from Montauk Point have to go to Smithtown to get an emergency prescription filled.

**P.O. CARACAPPA:**

Legislator Kennedy.

**LEG. KENNEDY:**

I would just like to go back to a couple of the point that I made before. And I will say to the Chief Deputy, I applaud the fact that both Commissioner of Social Services and Health took a look at this from a statistical perspective in September. However, we did hear the Commissioner of Social Services much earlier in the summer announce that, unilaterally, the Department of Social Services had adopted this single point location. And so now to go ahead and say that the data collected substantiates that we're achieving a savings, we're achieving a savings because people can't get here to use it, and that's part of what goes back to what Legislator Alden said before.

The folks that are seeking to get the help here are the most disenfranchised of society. They struggle with mental health aspects each day. They don't have the wherewithal to come to us to appeal to us to say, "Look, we need this help and we can't get it, particularly because now we have to go 60 miles on a bus that doesn't exist. So I think there's a logic. We heard about it earlier from the Clergy. Sometimes we do have to make those decisions that say we have to put the services available where people actually are, and I think that's some of what we're looking at this •• with this issue.

**P.O. CARACAPPA:**

Legislator Vilorio•Fisher.

**LEG. VILORIA•FISHER:**

I want to go back to the question that was asked by Legislator Lindsay. If we were at least to feel a degree of certainty that there were access at all of the Social Services centers, I don't think just one would be sufficient. Yesterday, while I was thinking about this, Paul, I had students visiting my office from Suffolk Community College, and I happened to ask them about how they got to school. They were people who had to take a bus to class. And a young lady who lives in Bay Shore requires three•and•a•half hours of travel time to get to her first class at the Ammerman Campus. We have a problem with public transportation, and I don't believe that we should exacerbate that problem by adding access to medication to that problem.

If we have eligibility standards at all of our health facilities, we also have Medicaid eligible release screening at our •• at all of our Social Services



sites. Why must this particular program be limited to just one site? I'm very •• I'm very confused by that. I don't understand why we are •• we're almost creating a scenario where we're limiting the amount of money we're spending on this, because we're not providing access to people who need it.

**P.O. CARACAPPA:**

Thank you.

**MR. SABATINO:**

Again, the answer is that even for the individuals that are going to the health centers, the Social Service forms still have to be completed and filled out. That is going to happen at a Social Services center. So that's not •• that's not going to change even if you pass this resolution. The problem is, though, that you're not going to have people in the eleven sites, seven of which are contracts with hospitals, to provide that particular service, so you're going to go back to the way the program was before we tried to do the reforms in September of 2004, which is that you're going to have costs escalating, no handle on whether people are eligible or not eligible.

And, again, you know, we believe that if you've got eight months worth of experience that we banked this year, and to date we haven't seen a massive dislocation in terms of people, you know, looking for those prescription drugs •• and I disagree with the comment that we wouldn't know. I think with all the advocacy groups we have out there, with all of the concerns that rightfully are articulated on their behalf, I think we'd be getting some feedback if there was a problem.

And, again, we're not going to be stopping the delivery of services. There's still the backup program at the health centers where pharmaceuticals are available on a one•shot basis with •• in an emergency situation. So all I'm asking is that, you know, let's give this reform a chance. If it turns out that the Health Services people are wrong and Social Services is wrong and my interpretation of what they're saying is wrong, we'll have the opportunity with the savings that we're generating right now to deal with the issue that Legislator Lindsay raised.

**P.O. CARACAPPA:**

All right. Roll call.

**LEG. MYSTAL:**

Roll call.

**(Roll Called by Mr. Barton, Clerk)**

**P.O. CARACAPPA:**

Yes.

**LEG. O'LEARY:**

Yes.

**LEG. SCHNEIDERMAN:**

Pass.

**LEG. VILORIA • FISHER:**

Yes.

**LEG. LOSQUADRO:**

Yes.

**LEG. FOLEY:**

No.

**LEG. LINDSAY:**

No.

**LEG. MONTANO:**

No.

**LEG. ALDEN:**

Yes.

**LEG. KENNEDY:**

Yes to override.

**LEG. NOWICK:**

Yes.

**LEG. BISHOP:**

No.

**LEG. MYSTAL:**

No.

**LEG. BINDER:**

No.

**LEG. TONNA:**

No.

**LEG. COOPER:**

Nope.

**D.P.O. CARPENTER:**

No.

**LEG. SCHNEIDERMAN:**

No.

**MR. BARTON:**

Seven. (Not Present: Leg. Caracciolo)

**P.O. CARACAPPA:**

That's sustained. Moving on, ***Budget Amendment 1, M049, Finance and Taxation, Increases 2006 revenue from interest and penalty taxes by 49,990 from the mandated portion of the companion resolution to create on new position, Deputy County Treasurer, Grad 31, in Finance & Taxation.*** The rest is •• you could read yourself.

**LEG. CARPENTER:**

On the motion.

**P.O. CARACAPPA:**

Is there a motion?

**D.P.O. CARPENTER:**

Motion to override.

**P.O. CARACAPPA:**

Motion to override by Legislator Carpenter, second by myself. On the motion, Legislator Carpenter.

**D.P.O. CARPENTER:**

I just want to clarify something, because there was some misinformation, I know it's going to be hard to believe, in Newsday the other day ••

**P.O. CARACAPPA:**

No.

**D.P.O. CARPENTER:**

•• about this position, but even though I had a lengthy discussion with the reporter. This position came out of a recommendation from the Delinquent Property Tax Task Force. And you'll remember that there were a number of discussions and initiatives about that whole thing with some specific cases that were reported in Newsday, one in particular, a parcel over on Fire Island and some other areas. And one of the recommendations, and I do have some of the recommendations from the Treasurer's Office to the Task Force about the need for an additional person as a Financial Counselor or equivalent in the office. Since there was no person on staff with those credentials to counsel people with the appropriate financial and in an assistance type organizations for help with options like conventional mortgages, second mortgages, reverse mortgages, and the like. Also, the addition of a community service worker to perform within the real estate sections would go a long way to monitoring and maintaining all records.

As the Chief Deputy County Executive Sabatino said before in another discussion, adding a position with savings that are generated seems to make

sense. And when we've got 132.7 million dollars in delinquent property taxes out there, when we've got over 32,000 parcels, the investment of dedicating a person with a mission to try to get some of these delinquent property taxes back on the tax rolls really is a worthwhile investment. And in business, you know, sometimes you have to spend money to make money. And I really feel very strongly that this is a worthwhile investment for the County taxpayer, so that we can aggressively try to get these properties back on the tax rolls.

Also, too, coupled with the initiative that the Treasurer's Office has been working on with the County Executive over the last couple of months on brownfields parcels, trying to get those parcels back on the tax rolls, one in particular, a marina in West Babylon. You can just imagine the revenue that would be generated getting a marina back on the tax rolls, where just people don't have enough slips available.

So, for those reasons, coupled with the fact that in the investment unit, looking over the organizational chart at the Treasurer's Office, in the Investment Unit, there's only one person working there, and we really need to make sure that we are maximizing the dollars.

Now, I'm asking, as we had this discussion in the working group, there didn't seem to be any problem with it. I know that the County Executive was fully aware of everything going back and forth, and I would have thought that if he had an issue with it, that we would have gotten a phone call about it. So I would just hope that everybody would stay the course and go along with the discussions that we had in the working group and continue to support this worthwhile investment for the County taxpayer.

**LEG. NOWICK:**

Joe.

**P.O. CARACAPPA:**

Legislator Nowick.

**LEG. NOWICK:**

Yeah. You know, again, as a former Tax Receiver, let me just explain a little bit about what happens. May 31st is the last day to collect taxes. On June

1st, whoever doesn't pay their taxes gets penalized and has to pay interest in the amount of 11%. June 1st they're in arrears. But let me tell you right now that no •• the average citizen doesn't even know they're in arrears until August. Around August the letters go out from the County. So 132 million dollars worth of back•taxes is a lot of outstanding taxes to the County.

If we could collect, if we had somebody, a department, if you will, trying to recoup back•taxes, I'm doing a little math here, many of •• many people are in arrears \$3,000, the first month in June, plus what they would have owed in taxes. Maybe they owe \$20,000 in taxes, plus the 11%, that's \$22,000. Every month it goes up. So if we can just recoup, if we can just recoup in a year ten, maybe ten different parcels, we have more than made up for that. And I believe, if we go all out in this department, we can do much better than that. So I'm supporting this, because I have seen how much money the County loses. This should be a mission. What did you say?

**LEG. BISHOP:**

Nothing, nothing about you.

**LEG. NOWICK:**

And I'm supporting this.

**D.P.O. CARPENTER:**

Thank you, Legislator Nowick. Legislator Lindsay, and then Legislator Binder.

**LEG. LINDSAY:**

The number of 132 million is a high point. Isn't back•taxes cyclical? I mean ••

**D.P.O. CARPENTER:**

Yes, it is.

**LEG. LINDSAY:**

Yeah.

**D.P.O. CARPENTER:**

And to respond to that, the low would be about 92 million. Still a substantial amount of money, no matter how you slice it. Over the course of a couple of months, when the collections start coming in, they can expect to collect another 40 million, but you're still looking at 92 million dollars.

**LEG. LINDSAY:**

Okay. The other point that I want to make, and something that you mentioned in your presentation that makes a lot of sense, and, you know, a couple of months back, we went through the unfortunate situation of some people losing their homes, for lack of a better word, being less attentive to their tax bill over really a small amount of money and they lost a huge asset. But I think probably what we need is an ombudsman to go out and to knock on people's doors and say, you know, "What are you doing? You know, can we help with a reverse mortgage," or something to prevent that human tragedy, because I don't think the County wants to profiteer off of people that, you know, might not be as sharp as they once were, or might, you know, have a mental deficiency. We don't want to profiteer off of that situation. But the question I have is does it warrant a deputy? I mean, couldn't it be done by an ombudsman in that department?

**D.P.O. CARPENTER:**

Well, quite frankly, I mean, I've been involved in government a long time, and I know that politically, if you look at things politically, you don't want to be creating a position of a Deputy, and I did ask Budget Review that question. But with the constraints of Civil Service, this gives you the most flexibility to create or to find the parameters of the position. And your point is very well taken.

I sat on the Delinquent Property Tax Task Force, and it went on for quite a number of months. And the Treasurer's Office participated, the County Attorney's Office, in fact, Christine Malafi herself came to each and every meeting, Pat Zielenski, myself someone from the Minority, and it was very, very interesting. We brought one of the Tax Receivers, the Tax Receiver from Huntington, actually, and reviewing the processes and brought witnesses in. In fact, there was someone from the County of Westchester. And we are very, very lenient, more so than a number of the other counties



in the State of New York when it comes to this. But still, when you're letting it go out four years, you know, is it fair to the people that are paying their taxes to let people go out there that long? And, you know, there are so many programs. But, as the Treasurer said, and I can share these recommendations, I'll have copies made for everybody, there just isn't the staff in place now to go out and be proactive, and we really, really need to do that. We owe it to the people that have made an investment in their homes and want to keep their homes, and we owe it to the property taxpayers that are paying their taxes in a timely fashion, and we owe it to all the property taxpayers to bring those number of arrears down to a more practical number than even, at best, 92 million.

**LEG. LINDSAY:**

Follow-up question, though.

**D.P.O. CARPENTER:**

Sure.

**LEG. LINDSAY:**

As you have the advantage of the Treasurer-Elect, that if this is overridden, I'd like to see this position tracked to see if, in fact, it does save us money.

**D.P.O. CARPENTER:**

You know, and I agree with you 100%, and I said that. I mean, this is basically, you know, an investment. If it works, great. If not, it's gone.

**LEG. LINDSAY:**

If it doesn't, if it doesn't work, we're not going to fund it.

**D.P.O. CARPENTER:**

Exactly, exactly. And, you know, it's putting it in place, and I had hoped, and it is a little premature at this point, I'm not the Treasurer yet, but I had all intentions of working very closely with the County Exec's Office. I was delighted to hear that they had started on the brownfields initiative.

We have got to do everything we possibly can to maximize the taxpayers' investment in this County, and making sure that every single dollar invested



is spent wisely and well. And that is my •• my mission, if you will, and from, you know, trying to make the office as user•friendly as possible, getting information out to the public a little bit more in a little bit better fashion, even the website. If anyone goes to the website, you'll see that a lot of this information that could be posted there isn't. Legislator Binder.

**LEG. BINDER:**

Thank you. We have a history in the Legislature of voting for positions in Medicaid and other places, where we would actually make money and save money by putting the position in, so this is not out of character for the Legislature. In the 16 years here that I've been, we have done this numerous, numerous times in different places. This is clearly a place where there is a lot of money to be made. Someone needs to be going after it. And, you know, as I read in Newsday and the attack on the question and saying, "Well, we need efficiency and streamlining."

You know, I think about the budget we have in front of us that has two Chief Deputy County Executives and I don't see anybody at this Legislature and I don't see the County Executive pulling •• you know, I mean, this is the same County Executive put in a second Chief Deputy, it's never been in the history of this County. And for whatever reason, he's decided that that's an important position and we need two Chief Deputies. So it would seem to me today that we have an opportunity to put in a position. I think Legislator Lindsay is right, tracking it is an •• would be an important part of this. And those who are still here should be committed to making sure that that kind of oversight is done to see that we're making sure that this money is efficient and wise in that we go out and make money by spending a little money. It's not out of the ordinary, and we should go do that today. And that's what I think the intent was of the working group, and that's why it's in here in the first place.

**P.O. CARACAPPA:**

Legislator Nowick.

**LEG. NOWICK:**

Legislator Lindsay, just to answer some of your questions or some of your thoughts, believe me, this can work to make the County money. There ••

it's not only •• it's not only people that know they're in arrears, but there are the people that have not a clue. And some people have no idea how to get into •• get out of what they're into. So, if you •• if you can make up \$100,000, you're just even. I'm sure that the present administration would love to have done this, but you certainly need to have the bodies to do it. We need to spend money to make money sometimes, and this is •• this is the perfect situation for that. Forty •• if you make money on 40 parcels, we will more than triple bringing in the money that we're spending.

**P.O. CARACAPPA:**

Thank you. Anyone else? Roll call.

**(Roll Called by Mr. Barton, Clerk)**

**D.P.O. CARPENTER:**

Yes.

**P.O. CARACAPPA:**

Yes.

**LEG. SCHNEIDERMAN:**

Pass.

**LEG. O'LEARY:**

Yes.

**LEG. VILORIA • FISHER:**

Pass.

**LEG. LOSQUADRO:**

Pass.

**LEG. FOLEY:**

No.

**LEG. LINDSAY:**

Yes.

**LEG. MONTANO:**

No.

**LEG. ALDEN:**

Pass.

**LEG. KENNEDY:**

Yes.

**LEG. NOWICK:**

Yes.

**LEG. BISHOP:**

Yes.

**LEG. MYSTAL:**

No.

**LEG. BINDER:**

Yes.

**LEG. TONNA:**

No.

**LEG. COOPER:**

No.

**LEG. SCHNEIDERMAN:**

Yes.

**LEG. VILORIA • FISHER:**

No.

**LEG. LOSQUADRO:**

Yes.

**LEG. ALDEN:**

Yes.

**MR. BARTON:**

11.

**LEG. BISHOP:**

We need 11?

**P.O. CARACAPPA:**

We need 12.

**D.P.O. CARPENTER:**

Thanks, Elie.

**LEG. MYSTAL:**

You're welcome.

**P.O. CARACAPPA:**

It fails, so sustained. ***Budget Amendment 2, moving on to the second budget amendment, D001. This is Civil Service/Human Resources. Retains Information Services in Civil Service and abolishes 2 new positions (Commissioner of IT and Secretarial Assistant) for a savings of \$135,252 and fringe benefits of \$30,490.*** This would •• let me just get this. Gail, if we override this, it keeps •• it keeps in our policy that we remove this from the budget; correct?

**MS. VIZZINI:**

Well, what the omnibus did was remove a separate department.

**P.O. CARACAPPA:**

Right.

**MS. VIZZINI:**

So, if you •• if this is sustained, then IT would become its own separate and

independent department.

**P.O. CARACAPPA:**

With these •• with these two •• with the new positions ••

**MS. VIZZINI:**

Yes.

**P.O. CARACAPPA:**

•• in IT.

**LEG. ALDEN:**

At additional spending.

**P.O. CARACAPPA:**

Well, that's the point I was trying to get around to. Legislator Alden said, with additional spending, new positions, a new department ••

**LEG. ALDEN:**

More spending.

**P.O. CARACAPPA:**

•• and so forth. I'll make a motion to override.

**LEG. ALDEN:**

Second.

**P.O. CARACAPPA:**

Second by Legislator Alden. Roll call.

**(Roll Called by Mr. Barton, Clerk)**

**P.O. CARACAPPA:**

Yes.

**LEG. ALDEN:**

Yes.

**LEG. SCHNEIDERMAN:**

Pass.

**LEG. O'LEARY:**

Yes.

**LEG. VILORIA • FISHER:**

No.

**LEG. LOSQUADRO:**

Yes.

**LEG. FOLEY:**

No.

**LEG. LINDSAY:**

No.

**LEG. MONTANO:**

No.

**LEG. KENNEDY:**

Yes to override.

**LEG. NOWICK:**

Yes.

**LEG. BISHOP:**

No.

**LEG. MYSTAL:**

No.

**LEG. BINDER:**

Yes.

**LEG. TONNA:**

No.

**LEG. COOPER:**

No.

**D.P.O. CARPENTER:**

Yes.

**LEG. SCHNEIDERMAN:**

No to override.

**MR. BARTON:**

Eight. (Not Present: Leg. Caracciolo)

**P.O. CARACAPPA:**

Sustained. Moving on. ***Budget Amendment 2, D004, Legal Aid. This provides an extra \$330,000 in 2006 for Legal Aid to provide increases for attorney salaries for improved retention and recruitment.***

**LEG. FOLEY:**

Motion.

**P.O. CARACAPPA:**

Motion by Legislator Carpenter to override, second by Legislator Foley. Roll call.

**(Roll Called by Mr. Barton, Clerk)**

**D.P.O. CARPENTER:**

Yes.

**LEG. FOLEY:**

Yes.

**LEG. SCHNEIDERMAN:**

Yes to override.

**LEG. O'LEARY:**

Yes.

**LEG. VILORIA • FISHER:**

Yes.

**LEG. LOSQUADRO:**

Yes.

**LEG. LINDSAY:**

Yes.

**LEG. MONTANO:**

Yes.

**LEG. ALDEN:**

Yes.

**LEG. KENNEDY:**

Yes.

**LEG. NOWICK:**

Yes.

**LEG. BISHOP:**

Yes.

**LEG. MYSTAL:**

Yes.

**LEG. BINDER:**

Yes.

**LEG. TONNA:**



Yep.

**LEG. COOPER:**

Yes.

**P.O. CARACAPPA:**

Yep.

**MR. BARTON:**

17. (Not Present: Legs. Caracciolo)

**P.O. CARACAPPA:**

It's overridden. ***Budget Amendment 2, D008.*** This is a companion resolution to what we did earlier.

**LEG. LINDSAY:**

Yeah, it was sustained.

**P.O. CARACAPPA:**

Yeah. Was it sustained?

**D.P.O. CARPENTER:**

Yes.

**P.O. CARACAPPA:**

We have to override. Oh, we had to sustain it, because that would just make sense the way we're all voting today, of course. There's a motion and •• a motion by myself, second by Legislator O'Leary. Roll call.

**(Roll Called by Mr. Barton, Clerk)**

**P.O. CARACAPPA:**

Yep.

**LEG. O'LEARY:**

Yes.

**LEG. SCHNEIDERMAN:**

Yes.

**LEG. VILORIA • FISHER:**

Yes.

**LEG. LOSQUADRO:**

Yes.

**LEG. FOLEY:**

Yes.

**LEG. LINDSAY:**

Yes.

**LEG. MONTANO:**

Yes.

**LEG. ALDEN:**

Yes.

**LEG. KENNEDY:**

Yes.

**LEG. NOWICK:**

Yes.

**LEG. BISHOP:**

Yes.

**LEG. MYSTAL:**

Yes.

**LEG. BINDER:**

Yes.

**LEG. TONNA:**

Yep.

**LEG. TONNA:**

Yes.

**D.P.O. CARPENTER:**

Yes.

**MR. BARTON:**

17, 1 not present. (Not Present: Legs. Caracciolo)

**P.O. CARACAPPA:**

Overridden. ***Budget Amendment 2, D012, Historical Society. Provides an additional 25,140 in 2006 to restore the Historical Society to 2005 funding.*** Motion to override by myself, second by Legislator Foley.  
Roll call.

**(Roll Called by Mr. Barton, Clerk)**

**P.O. CARACAPPA:**

Yes.

**LEG. FOLEY:**

Yes.

**LEG. SCHNEIDERMAN:**

Yes.

**MR. BARTON:**

Pass. Oh, yes. Thank you.

**LEG. O'LEARY:**

Yes.

**LEG. VILORIA•FISHER:**

Pass.

**LEG. LOSQUADRO:**

Yes.

**LEG. LINDSAY:**

Yes.

**LEG. MONTANO:**

No.

**LEG. ALDEN:**

Yes.

**LEG. KENNEDY:**

Yes.

**LEG. NOWICK:**

Yes.

**LEG. BISHOP:**

Yes.

**LEG. MYSTAL:**

No.

**LEG. BINDER:**

Yes.

**LEG. TONNA:**

Yep.

**LEG. COOPER:**

Yes.

**D.P.O. CARPENTER:**

Yes.

**LEG. VILORIA • FISHER:**

No.

**MR. BARTON:**

14. (Not Present: Legs. Caracciolo)

**P.O. CARACAPPA:**

It's overridden. Moving on to ***D016, Probation. Provides an additional 15,843 in 2006 for Probation to conform contractual mileage reimbursement with the increased mileage reimbursement rate. The 2006 associated aid is increased by 3,327.*** Motion to override by Legislator Losquadro, second by Legislator O'Leary. On the motion, Legislator Lindsay.

**LEG. LINDSAY:**

Really, I guess it could be for Budget Review. First of all, I don't remember addressing this particular issue in the Working Group. But are we reimbursing Probation at a different rate per mile than the rest of the County employees that use their vehicles?

**MS. VIZZINI:**

No. The new rate is 48 cents a mile. Based on our projections and what the department had requested, this would give them additional monies so that they had enough funding in their travel reimbursement line.

**LEG. LINDSAY:**

So, in other words, they would be reimbursed, Probation, at the same rate as every other County employee, it's just the fund was just underfunded.

**MS. VIZZINI:**

Yes.

**LEG. LINDSAY:**

We're not establishing a different rate than anybody else in the County.

**MS. VIZZINI:**

Absolutely not.

**LEG. LINDSAY:**

Okay.

**P.O. CARACAPPA:**

Unfortunately, the veto message reads differently, and I can understand why your question would arise. But, this is something I do remember. I think Legislator Losquadro had brought it up in the working group and, hopefully, it will stay consistent on the matter.

**LEG. LOSQUADRO:**

I was just saying to Legislator Lindsay that the IRS rate went up to 48 cents now, and this just corrects the underfunding of that line.

**P.O. CARACAPPA:**

There's a motion and a second. Roll call.

**(Roll Called by Mr. Barton, Clerk)**

**LEG. LOSQUADRO:**

Yes.

**LEG. O'LEARY:**

Yes.

**LEG. SCHNEIDERMAN:**

Yes.

**LEG. VILORIA • FISHER:**

Yes.

**LEG. FOLEY:**

Yes.

**LEG. LINDSAY:**

Yes.

**LEG. MONTANO:**

Yes.

**LEG. ALDEN:**

Yes.

**LEG. KENNEDY:**

Yes.

**LEG. NOWICK:**

Yes.

**LEG. BISHOP:**

Pass, please.

**LEG. MYSTAL:**

Yes.

**LEG. BINDER:**

Yes.

**LEG. TONNA:**

Yes.

**LEG. COOPER:**

Yes.

**D.P.O. CARPENTER:**

Yes.

**LEG. BISHOP:**

I'm yes, too.

**P.O. CARACAPPA:**

Yes.

**MR. BARTON:**

17. (Not Present: Legs. Caracciolo)

**P.O. CARACAPPA:**

It's overridden. ***Budget Amendment 2, D021, Public Works. Reduces 2005 estimated outside printing in DPW Print Shop by 3,500 and in DPW Transportation by 15,000.*** Motion by myself, second by Legislator O'Leary. On the motion, Legislator Vilorio•Fisher.

**LEG. VILORIA•FISHER:**

Budget Review, I have a question about D021 and D027. These are for the advertising for the 311 phone number?

**MS. VIZZINI:**

That's according to the veto message. Despite our best efforts to contact the department and the County Executive Office to clarify why these estimates were different than what we had thought they should be, this information was not available to us until we read the veto message.

**LEG. VILORIA•FISHER:**

So •• well, at least I'm not the only one who's confused by it. But they're two separate numbers, D021 and D027, right? One is 100,000, one is for 18,000?

**MS. VIZZINI:**

That's correct. You know, they're both in Public Works, but one is in the printshop, the other is in where the buses are.

**LEG. VILORIA•FISHER:**

Transportation ••

**MS. VIZZINI:**

Yes, yes. And, as you know, we do our estimates based on a little bit more current information when we project what is actually going to be spent in '05 compared to when the Budget Office prepares their recommended budget. So our estimates are based on that.

**LEG. VILORIA•FISHER:**



Could I ask The County Executive's Office about this?

**P.O. CARACAPPA:**

Who?

**LEG. VILORIA • FISHER:**

Budget, Mr. Bortzfield.

**P.O. CARACAPPA:**

Is Mr. Bortzfield here?

**LEG. LINDSAY:**

Yes.

**P.O. CARACAPPA:**

Oh, there he is.

**LEG. FOLEY:**

He's there.

**LEG. VILORIA • FISHER:**

Okay, I guess ••

**P.O. CARACAPPA:**

Is that who you want?

**LEG. VILORIA • FISHER:**

Well, somebody who could explain ••

**P.O. CARACAPPA:**

Okay. Mr. Zwirn.

**MR. ZWIRN:**

Yeah, this is ••

**LEG. VILORIA • FISHER:**

•• why we have these.

**MR. ZWIRN:**

This is the money for the advertising for the 311 program that, hopefully, will be going into effect next year.

**LEG. VILORIA • FISHER:**

Okay.

**MR. ZWIRN:**

It restores it.

**LEG. VILORIA • FISHER:**

And Budget Review says that they were unable to get the department's information on this. Ben, could you explain how that happened, why this information came •• was so late in coming?

**MR. ZWIRN:**

Not ••

**LEG. VILORIA • FISHER:**

Is it a new program? I'm just trying to understand why we have a discrepancy.

**MR. ZWIRN:**

Have representatives of the Budget Office here and they're shaking their heads. They don't know why •• if it came over late, they don't know why it came over late. It's just money for advertising for the 311 system.

**LEG. VILORIA • FISHER:**

But what you're saying, in order to have the 311 system advertised, this money is necessary.

**MR. ZWIRN:**

That's correct.

**LEG. VILORIA • FISHER:**

That without this money, you can't do the advertising?

**MR. ZWIRN:**

That's correct.

**LEG. VILORIA•FISHER:**

That's what you're representing. Okay. Thank you, Ben.

**MS. VIZZINI:**

DO21 is the 2005 estimate. DO27 pertains to 2006.

**P.O. CARACAPPA:**

You know, I find it almost comical at this point, the thirty•five hundred dollars and \$15,000. We have a •• we have a budget surplus of a quarter of a billion dollars, and they're saying because of this, they can't do it.

**LEG. BISHOP:**

This is how they did it, one brick at a time.

**P.O. CARACAPPA:**

Unbelievable. Ridiculous, actually. It's •• it is ridiculous.

**LEG. FOLEY:**

Motion to override.

**P.O. CARACAPPA:**

There's a motion to override, and second by Legislator O'Leary. Roll call.

**(Roll Called by Mr. Barton, Clerk)**

**P.O. CARACAPPA:**

Yeah.

**LEG. O'LEARY:**

Yes.

**LEG. SCHNEIDERMAN:**

Pass.

**LEG. VILORIA • FISHER:**

Yes.

**LEG. LOSQUADRO:**

Yes to override.

**LEG. FOLEY:**

Yes.

**LEG. LINDSAY:**

Yes.

**LEG. MONTANO:**

Yes.

**LEG. ALDEN:**

Yes.

**LEG. KENNEDY:**

Yes.

**LEG. NOWICK:**

Yes.

**LEG. BISHOP:**

No.

**LEG. MYSTAL:**

No.

**LEG. BINDER:**

Yes.

**LEG. TONNA:**

Yeah.

**LEG. COOPER:**

Yes.

**D.P.O. CARPENTER:**

Yes.

**LEG. SCHNEIDERMAN:**

Yes.

**MR. BARTON:**

15. (Not Present: Legs. Caracciolo)

**P.O. CARACAPPA:**

Overridden. Moving on to ***Budget Amendment 2, D024, on the next page. This changes the 2006 designation from mandated to discretionary for respite beds in the amount of 150,000 with the inclusion of the companion mandated resolution, which is M024,*** which will ••

**LEG. O'LEARY:**

Motion.

**P.O. CARACAPPA:**

•• which we approved, so I'd ask everyone to stay consistent.

**LEG. LINDSAY:**

We overrode it, right?

**P.O. CARACAPPA:**

Overrode it, right.

**LEG. LINDSAY:**

Right.

**P.O. CARACAPPA:**

Legislator O'Leary makes the motion, second by Legislator Carpenter. Roll call.

**(Roll Called by Mr. Barton, Clerk)**

**LEG. O'LEARY:**

Yes.

**D.P.O. CARPENTER:**

Yes.

**LEG. SCHNEIDERMAN:**

Yes.

**LEG. VILORIA • FISHER:**

Yes.

**LEG. LOSQUADRO:**

Yes.

**LEG. FOLEY:**

Yes.

**LEG. LINDSAY:**

Yes.

**LEG. MONTANO:**

Yes.

**LEG. ALDEN:**

Yes.

**LEG. KENNEDY:**

Yes.

**LEG. NOWICK:**

Yes.

**LEG. BISHOP:**

Yes.

**LEG. MYSTAL:**

Yes.

**LEG. BINDER:**

Yes.

**LEG. TONNA:**

Yep.

**LEG. COOPER:**

Yes.

**LEG. FOLEY:**

Henry, change mine to a no. Henry, change mine to a no, please.

**P.O. CARACAPPA:**

Yes.

**MR. BARTON:**

Yes, Mr. Foley.

**LEG. BISHOP:**

Henry, was I consistent? Is that what I voted?

**P.O. CARACAPPA:**

Why start now, Dave?

**MR. BARTON:**

16•1, 1 not present. (Not Present: Legs. Caracciolo)

**P.O. CARACAPPA:**

It's overridden. ***Budget Amendment 2, DO27, Public Works. Reduces DPW, Transportation Division's advertising by \$100,000 in 2006.***

**LEG. O'LEARY:**

Motion.

**P.O. CARACAPPA:**

Motion by Legislator O'Leary, second by myself. This is the 2006 portion of what we discussed earlier, Gail, or no?

**LEG. VILORIA • FISHER:**

Yeah.

**P.O. CARACAPPA:**

Yeah, okay.

**MS. VIZZINI:**

Yes, the advertising.

**P.O. CARACAPPA:**

Roll call.

**(Roll Called by Mr. Barton, Clerk)**

**LEG. O'LEARY:**

Yes.

**P.O. CARACAPPA:**

Yep.

**LEG. SCHNEIDERMAN:**

Pass.

**LEG. VILORIA • FISHER:**

No.

**LEG. LOSQUADRO:**

Yes.

**LEG. FOLEY:**

No.



**LEG. LINDSAY:**

Yes.

**LEG. MONTANO:**

Pass.

**LEG. ALDEN:**

Yes.

**LEG. KENNEDY:**

Yes.

**LEG. NOWICK:**

Yes.

**LEG. BISHOP:**

No.

**LEG. MYSTAL:**

No.

**LEG. BINDER:**

Yes.

**LEG. TONNA:**

No.

**LEG. COOPER:**

Nope.

**D.P.O. CARPENTER:**

Yes.

**LEG. SCHNEIDERMAN:**

No.

**LEG. MONTANO:**

No.

**MR. BARTON:**

Nine. (Not Present: Leg. Caracciolo)

**P.O. CARACAPPA:**

That is sustained. ***Budget Amendment 2, D029, DSS. Identifies EAC in a separate pseudo code (HKBI) to show Alternatives for Youth (AFY) contract agency funding.*** Is there a motion?

**MS. VIZZINI:**

Mr. Presiding Officer, this was included at the request of the Budget Office. The provider ••

**P.O. CARACAPPA:**

The County Executive's Budget Office?

**MS. VIZZINI:**

Yes. This service was bid, RFP, EAC was the winner, and Mr. Bortzfield and I had to sign off that the appropriate presentation would be that this would be by a pseudo code for this designated agency.

**P.O. CARACAPPA:**

And added to omnibus, and which we did.

**MS. VIZZINI:**

Yes.

**P.O. CARACAPPA:**

And then they vetoed, their own recommendation.

**MS. VIZZINI:**

Sometimes that happens. A separate designation pseudo code for the contract agency, Educational Assistance Corporation, who was the successful bidder for the educational services related to the Alternatives for Youth.

**P.O. CARACAPPA:**

Is there a motion to override?

**LEG. LINDSAY:**

Yes.

**P.O. CARACAPPA:**

There's a motion to override by Legislator Lindsay. Is there a second? Fails for lack of a second. Sustained.

Next one, ***Budget Amendment 2, D030, Health/DSS. Transfers the Emergency Prescription Voucher Program from DSS to a new appropriation in Health Services in the amount of \$850,000 (and changes the program's designation from mandated to discretionary with the companion resolution (M030).*** This is •• this was sustained in the companion; correct?

**LEG. LINDSAY:**

But is that duplicative, 850,000 twice?

**LEG. FOLEY:**

It was sustained.

**P.O. CARACAPPA:**

One is •• this is the discretionary side.

**LEG. FOLEY:**

Does this cancel out, or ••

**P.O. CARACAPPA:**

No, not necessarily. Gail?

**MS. VIZZINI:**

You have to be consistent with this.

**LEG. ALDEN:**

Why?

**MS. VIZZINI:**

Well ••

**P.O. CARACAPPA:**

Why •• I was telling other Legislators earlier, why start now?

**LEG. LINDSAY:**

Is it 850 twice?

**MS. VIZZINI:**

Well, it's really once. It went from one place to the other. But the Budget Office, for some reason, had this program, even though it's a completely voluntary program, in a mandated line. So when the omnibus moved it to Health, we put it in a discretionary line, so there was a mandated and a discretionary component. If you're consistent, the •• we should sustain the veto.

**P.O. CARACAPPA:**

There's a motion •• is there a motion? Why bother? It was sustained the first time. If you don't vote on it, it's sustained.

**LEG. NOWICK:**

Okay, leave it alone.

**D.P.O. CARPENTER:**

Let's not waste our breath.

**P.O. CARACAPPA:**

That's sustained. Exactly, why bother? ***Budget Amendment 2, D031, Economic Development. Abolishes 5 Airport Security Guards and one Senior Airport Security Guard in Economic Development at a savings of \$282,919 for salary and fringe benefits and reduces the 2005 interfund transfer from the General Fund to Fund 625 by \$282,919.***

**LEG. SCHNEIDERMAN:**

Motion.

**P.O. CARACAPPA:**

Motion to override by Legislator Schneiderman, seconded by Legislator O'Leary. Roll call.

**(Roll Called by Mr. Barton, Clerk)**

**LEG. SCHNEIDERMAN:**

Yes.

**LEG. O'LEARY:**

Yes.

**LEG. VILORIA • FISHER:**

No.

**LEG. LOSQUADRO:**

Yes.

**LEG. FOLEY:**

No.

**LEG. LINDSAY:**

Yes.

**LEG. MONTANO:**

No.

**LEG. ALDEN:**

Yes.

**LEG. KENNEDY:**

Yes.

**LEG. NOWICK:**

Yes.

**LEG. BISHOP:**

No.

**LEG. MYSTAL:**

No.

**LEG. BINDER:**

Yes.

**LEG. TONNA:**

No.

**LEG. COOPER:**

No.

**D.P.O. CARPENTER:**

Yes to override.

**P.O. CARACAPPA:**

Yes.

**MR. BARTON:**

Ten. (Not Present: Legs. Caracciolo)

**P.O. CARACAPPA:**

Okay. That's sustained. Just let me, just for the record, just clarify something, even though the vote's been taken. Budget Review or Counsel, now at Gabreski, instead of Deputy Sheriffs, we'll have security guards?

**D.P.O. CARPENTER:**

Right.

**LEG. SCHNEIDERMAN:**

Homeland security issue.

**D.P.O. CARPENTER:**

Yes.

**P.O. CARACAPPA:**

That's all.

**MS. VIZZINI:**

The positions are vacant.

**P.O. CARACAPPA:**

Okay. Thank you. ***Budget Amendment 2, D049, Finance and Taxation.*** This was •• this was sustained earlier.

**D.P.O. CARPENTER:**

Anyone seen the wisdom of their ways?

**MS. VIZZINI:**

This is the salary portion. The retirement portion was sustained.

**LEG. BISHOP:**

Thank you. Thank you, everybody.

**P.O. CARACAPPA:**

Is there a motion, because it was sustained earlier? It's sustained for failure of a motion to override.

***Budget Amendment 2, D053. Eliminates the Office of Environmental Affairs; abolishes the Director of Environmental Affairs, Grade 39 and creates one Deputy County Executive/Environmental Protection, Grade 40, in the County Executive's Office (001•1230•0100) (transfers two positions, Chief Environmental Analyst to Planning (001•8020•0600) and Health Program Analyst III to Health Services, Division of Environmental Quality).***

**LEG. BISHOP:**

Was this sustained or is this new?

**P.O. CARACAPPA:**

No, we haven't done this yet. Motion by myself to override.

**LEG. O'LEARY:**

Second.

**P.O. CARACAPPA:**

Second by Legislator O'Leary. Roll call.

**(Roll Called by Mr. Barton, Clerk)**

**P.O. CARACAPPA:**

Yep.

**LEG. O'LEARY:**

Yes.

**LEG. SCHNEIDERMAN:**

No.

**LEG. VILORIA • FISHER:**

No.

**LEG. LOSQUADRO:**

Yes.

**LEG. FOLEY:**

No.

**LEG. LINDSAY:**

Yes.

**LEG. MONTANO:**

No.



**LEG. ALDEN:**

Yes.

**LEG. KENNEDY:**

Yes.

**LEG. NOWICK:**

Yes.

**LEG. BISHOP:**

Yes.

**LEG. MYSTAL:**

No.

**LEG. BINDER:**

Yes.

**LEG. TONNA:**

No.

**LEG. COOPER:**

Yes.

**D.P.O. CARPENTER:**

Yes.

**MR. BARTON:**

11. (Not Present: Leg. Caracciolo)

**LEG. SCHNEIDERMAN:**

That was on 53, right?

**MR. BARTON:**

Correct.

**P.O. CARACAPPA:**

Right.

**D.P.O. CARPENTER:**

Right.

**P.O. CARACAPPA:**

That's sustained.

**LEG. BISHOP:**

All right. Motion to reconsider.

**P.O. CARACAPPA:**

This one?

**LEG. BISHOP:**

The one we just did.

**P.O. CARACAPPA:**

Motion to reconsider override on ••

**LEG. BISHOP:**

I cast a vote, I would like to change it.

**P.O. CARACAPPA:**

•• ***Budget Amendment 2, D053***, by Legislator Bishop, who was on the prevailing side, second by myself. All in favor? Opposed? Abstentions? It's now before us again.

**MR. BARTON:**

17.

**LEG. KENNEDY:**

Mr. Chairman, on the motion, if I can, just before we take the revote.

**P.O. CARACAPPA:**

We don't have a motion yet. Motion to override by myself, second by Legislator O'Leary. Again, on the motion, Legislator Kennedy.

**LEG. KENNEDY:**

A question for Budget Review. What is the price associated with this resolution? How much would this increase the budget by?

**LEG. BISHOP:**

The resolution or the •• I mean, you've got to rephrase it.

**LEG. BINDER:**

If we sustain it, you mean. Say, if we sustain, what's the cost?

**MS. VIZZINI:**

The recommended budget transferred two positions and created one new position to constitute an Office of Environmental Affairs. What the omnibus does is it transfers the two existing positions back pretty much where they came from, and rather than a Director of Environmental Quality, creates a Deputy County Executive for Environmental Affairs. So the financial impact is zero.

**LEG. KENNEDY:**

There is no financial impact if this veto is not overridden? If the veto is sustained, there is no net addition or increase in positions to the budget, or is that incorrect?

**MS. VIZZINI:**

Well, what we did, there was three positions, we kept all of them. There was only one new one. We kept one new position.

**LEG. KENNEDY:**

Okay.

**MS. VIZZINI:**

So it's •• there's no net additional cost.

**LEG. KENNEDY:**

Thank you.

**P.O. CARACAPPA:**

Roll call.

**(Roll Called by Mr. Barton, Clerk)**

**P.O. CARACAPPA:**

Yes.

**LEG. O'LEARY:**

Yes.

**LEG. SCHNEIDERMAN:**

Pass.

**LEG. VILORIA • FISHER:**

No.

**LEG. LOSQUADRO:**

Yes.

**LEG. FOLEY:**

No.

**LEG. LINDSAY:**

Yes.

**LEG. MONTANO:**

No.

**LEG. ALDEN:**

Yes.

**LEG. KENNEDY:**

Yes.

**LEG. NOWICK:**

Yes.

**LEG. BISHOP:**

This time, no.

**LEG. MYSTAL:**

No.

**LEG. BINDER:**

Yes.

**LEG. TONNA:**

No.

**LEG. COOPER:**

Oh, no.

**D.P.O. CARPENTER:**

Yes.

**LEG. SCHNEIDERMAN:**

Just clarification.

**LEG. VILORIA • FISHER:**

This is 53, right?

**LEG. SCHNEIDERMAN:**

We're back to 53?

**MR. BARTON:**

Correct.

**LEG. FOLEY:**

We're in the middle of voting.

**MR. BARTON:**

Correct.

**LEG. SCHNEIDERMAN:**

Didn't we just vote on 53?

**P.O. CARACAPPA:**

Just continue the roll call.

**MR. BARTON:**

Schneiderman.

**LEG. SCHNEIDERMAN:**

This is a vote to reconsider 53?

**P.O. CARACAPPA:**

No, this is to vote on it again.

**LEG. BISHOP:**

This is on the merits.

**P.O. CARACAPPA:**

Yes or no?

**D.P.O. CARPENTER:**

It's a big choice. Flip a coin.

**LEG. SCHNEIDERMAN:**

No to override.

**MR. BARTON:**

Nine. (Not Present: Leg. Caracciolo)

**P.O. CARACAPPA:**

Sustained again.

**LEG. ALDEN:**

Point of order.

**P.O. CARACAPPA:**

Now Levy's score card is adjusted.

**LEG. BISHOP:**

Oh, it was •• I thought it was overridden the first time.

**P.O. CARACAPPA:**

No, it was sustained.

**LEG. BISHOP:**

Oh. I thought I was on the prevailing side. It's a good thing I'm rotating out of here.

**P.O. CARACAPPA:**

***Budget Amendment 2, D054, Civil Service/Human Resources. Retains Support Services, Print Shop, in the Department of Civil Service/Human Resources to conform the Operating Budget to the County Charter.*** Motion to override by Legislator O'Leary, second by myself. Roll call.

**(Roll Called by Mr. Barton, Clerk)**

**LEG. O'LEARY:**

Yes.

**P.O. CARACAPPA:**

Yeah.

**LEG. SCHNEIDERMAN:**

Yes.

**LEG. VILORIA • FISHER:**

Pass.

**LEG. LOSQUADRO:**

Yes.

**LEG. FOLEY:**

No.

**LEG. LINDSAY:**

Yes.

**LEG. MONTANO:**

Yes.

**LEG. ALDEN:**

Yes.

**LEG. KENNEDY:**

Yes.

**LEG. NOWICK:**

Yes.

**LEG. BISHOP:**

No.

**LEG. MYSTAL:**

No.

**LEG. BINDER:**

Yes.

**LEG. TONNA:**

No.

**LEG. COOPER:**

Nope.

**D.P.O. CARPENTER:**

Yes.



**LEG. VILORIA • FISHER:**

No.

**MR. BARTON:**

11•6, 1 not present. (Not Present: Legs. Caracciolo)

**P.O. CARACAPPA:**

That's sustained. Moving on to ***D057, the Legislature. This creates one Legislative Aide II, Grade 24, position and one Administrator II, Grade 25, position in the Legislature, Office of the Clerk and abolishes one vacant Legislative Secretary I, Grade 13, position and one Administrator I, Grade 21, position in the Legislature, Office of the Clerk.***

**LEG. BISHOP:**

How did this come about?

**P.O. CARACAPPA:**

It was a departmental request. It was.

**MR. BARTON:**

I requested the position.

**P.O. CARACAPPA:**

That's exactly what I said, departmental request.

**P.O. CARACAPPA:**

Is there a motion to override?

**LEG. BISHOP:**

Motion to override.

**P.O. CARACAPPA:**

Motion to override by Legislator Bishop. Is there a second?

**LEG. LINDSAY:**

Second.

**P.O. CARACAPPA:**

Second by Legislator Lindsay.

**P.O. CARACAPPA:**

Roll call.

**(Roll Called by Mr. Barton, Clerk)**

**LEG. BISHOP:**

Yes.

**LEG. LINDSAY:**

Yes.

**LEG. SCHNEIDERMAN:**

No.

**LEG. O'LEARY:**

No.

**LEG. VILORIA • FISHER:**

No.

**LEG. LOSQUADRO:**

No.

**LEG. FOLEY:**

Pass.

**LEG. MONTANO:**

No.

**LEG. ALDEN:**

Yes.

**LEG. KENNEDY:**

No.

**LEG. NOWICK:**

Yes.

**LEG. MYSTAL:**

No.

**LEG. BINDER:**

No.

**LEG. TONNA:**

No.

**LEG. COOPER:**

No.

**D.P.O. CARPENTER:**

No.

**P.O. CARACAPPA:**

No.

**LEG. FOLEY:**

No to override.

**MR. BARTON:**

Four. (Not Present: Legs. Caracciolo)

**P.O. CARACAPPA:**

It's sustained. Moving on to the stand•alones. ***Budget Amendment 3, the Police. This is for the extra police class. (Provides \$3 million in Fund 115 to fill vacant police officer positions with a police class of 100 recruits to start September 2006. The cost is offset by a reduction in the transfer from Fund 115 to the Retirement Reserve Fund (Fund 420)in the amount \$2,062,060 and a reduction of the***

***2005 estimated Fund 115 terminal vacation and sick pay totaling \$937,940).*** We all know what it's about. There's a motion by Legislator Carpenter, second by Legislator O'Leary. Roll call.

**(Roll Called by Mr. Barton, Clerk)**

**D.P.O. CARPENTER:**

Yes.

**LEG. O'LEARY:**

Yes.

**LEG. SCHNEIDERMAN:**

Yes.

**LEG. VILORIA • FISHER:**

No.

**LEG. LOSQUADRO:**

Yes to override.

**LEG. FOLEY:**

No.

**LEG. LINDSAY:**

No.

**LEG. MONTANO:**

No.

**LEG. ALDEN:**

Yes.

**LEG. KENNEDY:**

Yes.

**LEG. NOWICK:**

Yes.

**LEG. BISHOP:**

No.

**LEG. MYSTAL:**

No.

**LEG. BINDER:**

Yes.

**LEG. TONNA:**

Yep.

**LEG. COOPER:**

No.

**P.O. CARACAPPA:**

Yes.

**MR. BARTON:**

Ten. (Not Present: Legs. Caracciolo)

**P.O. CARACAPPA:**

It's sustained. ***Moving on to Budget Amendment Number 9. This is Parks. (Provides \$150,581 for salary and fringe benefits for 5 new laborer positions in Parks; reduces the 2005 estimated County Road Fund (Fund 105) transfer to the Health Insurance Fund (Fund 039) by \$150,581 and reduces the 2005 estimated General Fund transfer to the County Road Fund (Fund 105) by \$150,581. The mandated companion resolution (BA10) includes \$13,091 for retirement).***

**LEG. CARPENTER:**

Motion to override. This was a recommendation of the Budget Review Office. As we continue to acquire more and more parkland, the positions in Labor, positions in particular in the parks are really needed.

**P.O. CARACAPPA:**

I second it. This is five new Labor positions.

**LEG. LOSQUADRO:**

Second.

**P.O. CARACAPPA:**

Roll call. Second by Legislator Losquadro, rather.

**(Roll Called by Mr. Barton, Clerk)**

**D.P.O. CARPENTER:**

Yes.

**LEG. LOSQUADRO:**

Yes.

**LEG. SCHNEIDERMAN:**

Yes.

**LEG. O'LEARY:**

Yes.

**LEG. VILORIA • FISHER:**

Pass.

**LEG. FOLEY:**

No to override.

**LEG. LINDSAY:**

No.

**LEG. MONTANO:**

No.

**LEG. ALDEN:**

Yes.

**LEG. KENNEDY:**

Yes.

**LEG. NOWICK:**

Yes.

**LEG. BISHOP:**

No.

**LEG. MYSTAL:**

No.

**LEG. BINDER:**

Yes.

**LEG. TONNA:**

Yes.

**LEG. COOPER:**

No.

**P.O. CARACAPPA:**

Yep.

**LEG. VILORIA • FISHER:**

No.

**MR. BARTON:**

Ten. (Not Present: Legs. Caracciolo)

**P.O. CARACAPPA:**

It's sustained. ***Budget Amendment 10***, there's no motion. Sustained.

***11, this is Schneiderman, Legislator Schneiderman's resolution, FRES. Provides \$50,000 in 2006 for purchase of satellite phones for municipalities.***

**LEG. SCHNEIDERMAN:**

Motion.

**P.O. CARACAPPA:**

Is there a motion to override, Legislator Schneiderman?

**LEG. SCHNEIDERMAN:**

Motion to override.

**P.O. CARACAPPA:**

Is there a second?

**D.P.O. CARPENTER:**

Second.

**P.O. CARACAPPA:**

There's a second by Legislator Carpenter. Roll call.

**(Roll Called by Mr. Barton, Clerk)**

**LEG. SCHNEIDERMAN:**

Yes.

**D.P.O. CARPENTER:**

Yes.

**LEG. O'LEARY:**

Pass.

**LEG. VILORIA • FISHER:**

No.

**LEG. LOSQUADRO:**

Yes.

**LEG. FOLEY:**



No.

**LEG. LINDSAY:**

No.

**MR. MONTANO:**

No.

**LEG. ALDEN:**

Yes.

**LEG. KENNEDY:**

Yes.

**LEG. NOWICK:**

Pass.

**LEG. BISHOP:**

No.

**LEG. MYSTAL:**

No.

**LEG. BINDER:**

No.

**LEG. TONNA:**

No.

**LEG. COOPER:**

No.

**P.O. CARACAPPA:**

No.

**LEG. O'LEARY:**

No.

**LEG. NOWICK:**

No.

**MR. BARTON:**

Five. (Not Present: Leg. Caracciolo)

**P.O. CARACAPPA:**

It's sustained. Budget Amendment 19, Police •• 16, I'm sorry. **16, Health. Provides \$12,730 in 2006 for home health nurses and home health aides in Health Services. The cost is offset by reducing the 2005 estimated County Road Fund (Fund 105) transfer to Health Insurance Fund (Fund 039) by \$12,730 and reducing the General Fund transfer to the County Road Fund (Fund 105) by \$12,730.**

**LEG. NOWICK:**

Motion to override.

**P.O. CARACAPPA:**

Motion to override by Legislator Nowick.

**LEG. FOLEY:**

Second.

**P.O. CARACAPPA:**

Second by Legislator Foley. Roll call.

**LEG. BISHOP:**

What is the explanation on that?

**P.O. CARACAPPA:**

Their explanation.

**LEG. BISHOP:**

Yes, the proponents, the ones who want to override.

**P.O. CARACAPPA:**

I don't know.

**LEG. FOLEY:**

It's self-explanatory. We could use the additional dollars to serve the population that they serve.

**LEG. SCHNEIDERMAN:**

Provides additional funding for home health aides.

**LEG. BISHOP:**

That's eloquent.

**LEG. SCHNEIDERMAN:**

Not as much as they'd like, but it's ••

**LEG. MYSTAL:**

Spoken like Leo Tolstoy.

**LEG. O'LEARY:**

Move the question.

**P.O. CARACAPPA:**

Roll call.

**(Roll Called by Mr. Barton, Clerk)**

**LEG. NOWICK:**

Yes.

**LEG. FOLEY:**

Yes.

**LEG. SCHNEIDERMAN:**

Yes.

**LEG. O'LEARY:**

Yes.

**LEG. VILORIA • FISHER:**

Yes.

**LEG. LOSQUADRO:**

Yes.

**LEG. LINDSAY:**

No.

**LEG. MONTANO:**

No.

**LEG. ALDEN:**

Yes.

**LEG. KENNEDY:**

Yes.

**LEG. BISHOP:**

Yes.

**LEG. MYSTAL:**

No.

**LEG. BINDER:**

Yes.

**LEG. TONNA:**

No.

**LEG. COOPER:**

Yes.

**D.P.O. CARPENTER:**

No.

**P.O. CARACAPPA:**

No •• oh, no. I'm sorry, yes.

**MR. BARTON:**

Thirteen. (Not Present: Legs. Caracciolo)

**P.O. CARACAPPA:**

Overridden. Now ***Budget Amendment 19. It's the Police. Provides \$63,176 in Fund 115 for the purchase of 298 school crossing guard coats and reduces rent for the Highway Patrol (facility by \$63,176).***

Didn't we •• didn't we change this and basically just make it a policy directive out of the Police budget, or did ••

**D.P.O. CARPENTER:**

Yes, that it would •• so I don't know why this was vetoed. So just for the sake of making sure that this does happen, that they get these coats, because only 50 coats were ordered and there are three hundred some•odd crossing guards.

**P.O. CARACAPPA:**

Is there a motion?

**LEG. BISHOP:**

I thought they said that they would find the money.

**P.O. CARACAPPA:**

That's what we just said.

**LEG. ALDEN:**

That's why they took the money of the ••

**D.P.O. CARPENTER:**

Yeah, and that's why it's in the Highway Patrol Fund.

**LEG. FOLEY:**

It was a unanimous vote, by the way.

**D.P.O. CARPENTER:**

Right, it was unanimous.

**P.O. CARACAPPA:**

We did, we made the ••

**D.P.O. CARPENTER:**

So let us make that motion to override.

**P.O. CARACAPPA:**

We made the amendment on the floor to change the language so it did not take the money from the Highway Patrol facility rent, and it was unanimously approved thereafter.

**MS. VIZZINI:**

Right. The note is not current, but the resolution was changed.

**D.P.O. CARPENTER:**

So, in order to have the resolution stand, do we have to override this veto or not?

**P.O. CARACAPPA:**

Because they vetoed language that doesn't exist.

**MS. VIZZINI:**

They vetoed the changed resolution that says there's, you know, adequate monies in the Police Department budget and they will make the necessary purchase.

**D.P.O. CARPENTER:**

So this explanation may •• might not necessarily be true, but we need to override this veto so that we can make sure the crossing guards have their coats.

**MS. VIZZINI:**

Using the "belt and suspenders" theory, I would suggest that you ••

**D.P.O. CARPENTER:**

Belt and suspenders, especially when you're talking about coats and the winter, definitely. Motion to override.

**LEG. VILORIA • FISHER:**

Second.

**P.O. CARACAPPA:**

Roll call.

**LEG. BISHOP:**

Could I ••

**P.O. CARACAPPA:**

On the motion, Legislator Bishop.

**LEG. BISHOP:**

The Executive's representative, an explanation of the veto.

**MR. ZWIRN:**

The explanation is that the •• it's not necessary, that there's money •• we checked that day, we checked with the Police Department, we checked with the budget. There's sufficient money in the budget and the County Executive made a commitment to ensure that we would get the coats.

**P.O. CARACAPPA:**

All right. Ben, let me ask you, speaking of not necessary, we changed the language to accommodate you after we passed over it and we made •• we followed your recommendation. Why •• why an unnecessary veto then? •

**MR. ZWIRN:**

We said then at that time that it wasn't necessary to put this in, that the money would be appropriated for it.

**D.P.O. CARPENTER:**

So, then why the veto?

**P.O. CARACAPPA:**

Why the veto, though?

**MR. ZWIRN:**

Because it wasn't necessary.

**P.O. CARACAPPA:**

We passed •• we passed a policy directive based on us working with you. We tried to cooperate, and then you come back with an unnecessary veto based on the changed language at your direction.

**MR. ZWIRN:**

Only point was ••

**P.O. CARACAPPA:**

I just •• that's the part I don't understand.

**MR. ZWIRN:**

Our only point was that it was not necessary, that the money was there. We made that representation and we checked, and I said it at •• I said it at the meeting on that day as well.

**LEG. VILORIA•FISHER:**

And we changed it to reflect that.

**P.O. CARACAPPA:**

Legislator Viloria•Fisher.

**LEG. VILORIA•FISHER:**

I'm sorry, I'm sorry. Ben, what we're saying is that we changed it to reflect that. You had come back and said the money was in the budget, and we just wanted to ensure that it was spent on the coats, and we codified it.

**MR. SABATINO:**

Just looking at the resolution, what happened was, when the change was made, it still left in reference to amending the budget to include the



\$63,176. That's what caused the problem. The conforming change at the beginning of the bill wasn't made.

**P.O. CARACAPPA:**

There's a motion and a second. Roll call.

**(Roll Called by Mr. Barton, Clerk)**

**D.P.O. CARPENTER:**

Yes.

**LEG. VILORIA • FISHER:**

Yes.

**LEG. SCHNEIDERMAN:**

Yes to override.

**LEG. O'LEARY:**

Yes.

**LEG. LOSQUADRO:**

Yes.

**LEG. FOLEY:**

Yes.

**LEG. LINDSAY:**

Yes.

**LEG. MONTANO:**

Yes.

**LEG. ALDEN:**

Yes.

**LEG. KENNEDY:**

Yes.

**LEG. NOWICK:**

Yes.

**LEG. BISHOP:**

Yes.

**LEG. MYSTAL:**

Yes.

**LEG. BINDER:**

Yes.

**LEG. TONNA:**

Yeah.

**LEG. COOPER:**

Yes.

**P.O. CARACAPPA:**

Yep.

**MR. BARTON:**

17. (Not Present: Leg. Caracciolo)

**P.O. CARACAPPA:**

Overridden. ***Budget Amendment 20 in the Sheriff's Office.***

***Establishes the budgetary policy to fill 28 vacant Deputy Sheriff positions and 55 vacant Correction Officer positions in 2006 as there are sufficient appropriations in the Sheriff's operating budget for these positions.*** Motion to override.

**D.P.O. CARPENTER:**

Recommendation by the Budget Review Office.

**P.O. CARACAPPA:**

Motion to ••

**D.P.O. CARPENTER:**

•• motion to override.

**P.O. CARACAPPA:**

By Legislator Carpenter, second by Legislator O'Leary. Roll call.

**(Roll Called by Mr. Barton, Clerk)**

**D.P.O. CARPENTER:**

Yes.

**LEG. O'LEARY:**

Yes.

**LEG. SCHNEIDERMAN:**

Yes.

**LEG. VILORIA • FISHER:**

Pass.

**LEG. LOSQUADRO:**

Yes.

**LEG. FOLEY:**

No.

**LEG. LINDSAY:**

No.

**LEG. MONTANO:**

No.

**LEG. ALDEN:**

Yes.

**LEG. KENNEDY:**

Yes.

**LEG. NOWICK:**

Yes.

**LEG. BISHOP:**

No.

**LEG. MYSTAL:**

No.

**LEG. BINDER:**

Yes.

**LEG. TONNA:**

No.

**LEG. COOPER:**

No.

**P.O. CARACAPPA:**

Yep.

**LEG. VILORIA • FISHER:**

No.

**MR. BARTON:**

Nine. (Not Present: Legs. Caracciolo)

**P.O. CARACAPPA:**

That's sustained. And last, but not least, ***Budget Amendment 27.***

**LEG. LOSQUADRO:**

Motion.

**P.O. CARACAPPA:**

Motion by Legislator Losquadro, second by myself. This is in ***Probation. Establishes a budgetary policy assuring that contracted services as required by changes in the NYS Law pertaining to PINS are subject to the RFP process.*** Roll call.

**(Roll Called by Mr. Barton, Clerk)**

**LEG. LOSQUADRO:**

Yes.

**P.O. CARACAPPA:**

Yep.

**LEG. SCHNEIDERMAN:**

Yes.

**LEG. O'LEARY:**

Yes.

**LEG. VILORIA • FISHER:**

Yes.

**LEG. FOLEY:**

Yes.

**LEG. LINDSAY:**

Yes.

**LEG. MONTANO:**

Yes.

**LEG. ALDEN:**

Yes.

**LEG. KENNEDY:**

Yes.

**LEG. NOWICK:**

Yes.

**LEG. BISHOP:**

Yes.

**LEG. MYSTAL:**

Yes.

**LEG. BINDER:**

Yes.

**LEG. TONNA:**

Yep.

**LEG. COOPER:**

Yes.

**D.P.O. CARPENTER:**

Yes.

**MR. BARTON:**

17. (Not Present: Leg. Caracciolo)

**P.O. CARACAPPA:**

It's overridden.

**LEG. ALDEN:**

Mr. Chair.

**P.O. CARACAPPA:**

Just ••

**LEG. ALDEN:**

Joe.

**P.O. CARACAPPA:**

Before I recognize you, Legislator Alden, I'd just like to again thank Budget Review for your work on the budget, the Clerk's Office, the Counsel's Office. And this basically puts to bed probably one of the most partisanly tinged, inconsistent voting patterns on a budget process I've ever seen at this Legislature, so thank God it's over. Legislator Alden.

**LEG. ALDEN:**

Just a question of Budget Review. Did you keep a running total of the changes?

**MS. VIZZINI:**

We're going to calculate that. It will take a few moments.

**LEG. ALDEN:**

Thanks.

**P.O. CARACAPPA:**

Okay. Before we go back into the agenda, I'd just like to remind everyone that doesn't know, the flu shots being provided by Dr. Graham and a nurse assistant.

**LEG. ALDEN:**

Just check with Bishop's condition, though, after he got back.

**P.O. CARACAPPA:**

In the P.O.'s conference room. I highly suggest, if you haven't received a flu shot and you're eligible for one, to go and receive one. He'll be here for another ten minutes or so.

**MR. BARTON:**

Mr. Chairman.

**LEG. LINDSAY:**

Ask him a question, maybe it's truth serum.

**LEG. ALDEN:**

Would there be a guarantee that I wouldn't get anthrax if I were to get it?

**MR. ZWIRN:**

Mr. Chairman, Dr. Harper is here to give Legislator Alden a flu shot personally.

**P.O. CARACAPPA:**

Yeah.

**LEG. ALDEN:**

I won't be participating this year.

**P.O. CARACAPPA:**

Why is •• why is the liquid like yellowish in that vile?

**LEG. TONNA:**

I heard it starts with a rectal thermometer.

**P.O. CARACAPPA:**

No, that just happened. Okay. Page 9. Page 9. Let's get back to work and try and get some of this agenda done before lunch.

**LEG. BISHOP:**

Despite the partisan tinge.

**P.O. CARACAPPA:**

Partisanly tinged. Okay? Here we go.

## **INTRODUCTORY RESOLUTIONS**

### **BUDGET AND FINANCE**

***1939. This is a Charter Law to amend the Suffolk County Charter to provide for ongoing public disclosure of Operating Budget status. I think this would ••***



**LEG. ALDEN:**

Motion to table.

**P.O. CARACAPPA:**

I think this would create voting on the budget before Election Day?

**MS. KNAPP:**

Yes.

**P.O. CARACAPPA:**

There's a motion to table by Legislator Alden.

**LEG. LINDSAY:**

Second.

**P.O. CARACAPPA:**

Second by Legislator Lindsay. All in favor? Opposed? I'm in opposition.

**LEG. BINDER:**

Opposed.

**LEG. BISHOP:**

I'm opposed. Make you guys suffer.

**LEG. BINDER:**

Roll call.

**P.O. CARACAPPA:**

Roll call.

**(Roll Called by Mr. Barton, Clerk)**

**LEG. ALDEN:**

Yes.

**LEG. FOLEY:**

What are we voting on, which one?

**P.O. CARACAPPA:**

This is a ••

**LEG. LINDSAY:**

No.

**P.O. CARACAPPA:**

This is a motion to table 1939.

**LEG. FOLEY:**

Oh, table. Yes to table.

**LEG. LINDSAY:**

Yes.

**P.O. CARACAPPA:**

There's been a roll call requested.

**LEG. LINDSAY:**

Yes, yes.

**P.O. CARACAPPA:**

Continue, Mr. Clerk.

**LEG. SCHNEIDERMAN:**

Yes.

**LEG. O'LEARY:**

Yes.

**LEG. VILORIA • FISHER:**

Can you •• pass.

**LEG. LOSQUADRO:**

Yes.

**LEG. FOLEY:**

Yes, yes.

**LEG. MONTANO:**

Yes to table.

**LEG. KENNEDY:**

No to table.

**LEG. NOWICK:**

Yes.

**LEG. BISHOP:**

No.

**LEG. MYSTAL:**

(Not Present)

**LEG. BINDER:**

No.

**LEG. TONNA:**

(Not Present)

**LEG. ALDEN:**

I withdraw my motion to table, then to hell with it.

**P.O. CARACAPPA:**

Table motion has been withdrawn. There's a motion to approve by myself.  
Is there a second?

**LEG. LINDSAY:**

On the question.

**LEG. FOLEY:**

Motion to table.

**P.O. CARACAPPA:**

Second ••

**LEG. FOLEY:**

Motion to table.

**P.O. CARACAPPA:**

There's a motion to table by Legislator Foley. Seeing that the original tabling motion was withdrawn, this one is valid. Second?

**LEG. LINDSAY:**

I'll second it.

**P.O. CARACAPPA:**

Second by Legislator Lindsay. All in favor? Opposed?

***[OPPOSED SAID IN UNISON BY LEGISLATORS]***

**P.O. CARACAPPA:**

Opposed. For opposed, just raise your hand.

**LEG. ALDEN:**

Opposed to table?

**LEG. BISHOP:**

Opposed to tabling?

**P.O. CARACAPPA:**

Yeah. Legislator •• Alden, Kennedy, Bishop, Binder, and myself.

**MR. BARTON:**

Thirteen. (Vote Amended to 12 yes, 5 no, 1 not present • Leg. Caracciolo)

**P.O. CARACAPPA:**

It's tabled. ***1957 (A Charter Law to require action on the annual County Operating Budget before the General Election)***. Charter Law to

require action •• oh, this is •• this is the other one. This is •• this actually the, Counsel, I was asking.

**LEG. BINDER:**

What was the other one?

**LEG. LINDSAY:**

You thought you voted on this already, didn't you?

**P.O. CARACAPPA:**

Yes, I did.

**MS. KNAPP:**

1939 is the Local Law that ••

**LEG. FOLEY:**

We already tabled it.

**P.O. CARACAPPA:**

It's tabled.

**LEG. FOLEY:**

It's tabled.

**P.O. CARACAPPA:**

So 1957 is the •• same motion on 1957. Same motion, same second, same vote, and that's tabled. **2004.**

**MR. BARTON:**

Thirteen. (Vote Amended to 12 yes, 5 no, 1 not present•Leg. Caracciolo)

**P.O. CARACAPPA:**

***Amending the 2005 Operating Budget and transferring funds to the Bay Shore Chamber of Commerce.*** Motion by Legislator Carpenter, second by Legislator Montano or Alden.

**LEG. BISHOP:**

Explanation.

**P.O. CARACAPPA:**

Explanation.

**MS. VIZZINI:**

It's a name change.

**P.O. CARACAPPA:**

It's name change?

**LEG. MONTANO:**

Oh, yeah.

**P.O. CARACAPPA:**

All in favor? Opposed? Abstentions?

**MR. BARTON:**

17. (Not Present: Leg. Caracciolo)

**P.O. CARACAPPA:**

***2032 • Authorizing the County Treasurer to borrow cash funds from the other County funds for 2005.*** Motion by myself, second by Legislator Vilorio•Fisher. All in favor? Opposed?

**LEG. BISHOP:**

Explanation. Housekeeping?

**P.O. CARACAPPA:**

This is housekeeping.

**LEG. FOLEY:**

Housekeeping right.

**LEG. BISHOP:**

How much is being ••

**MS. VIZZINI:**

Annually, the Treasurer asks for the resolution authorizing him to allow funds to borrow from each other and pay back with interest.

**LEG. BISHOP:**

No, that I understand.

**MS. VIZZINI:**

Right.

**LEG. BISHOP:**

But this is the opportunity when Legislators can be alerted to which funds are running •• you know, were running behind and which ones had surplus. It's a good opportunity to take a look at macro trends in the budget, so is it ••

**MS. VIZZINI:**

Good point, but this is not the housekeeping resolution itself, this is the policy resolution that we can keep on doing what we've been doing.

**LEG. BISHOP:**

Okay.

**P.O. CARACAPPA:**

The housekeeping ••

**LEG. BISHOP:**

Comes later?

**P.O. CARACAPPA:**

•• usually comes in December.

**LEG. BISHOP:**

December. Thank you.

**P.O. CARACAPPA:**

2043 • Amending the 2005 Budget. This contract agency.

**MR. BARTON:**

Mr. Chair, I don't have a vote recorded on 2032.

**P.O. CARACAPPA:**

Oh, I'm sorry. 2032. All in favor? Is there •• a motion and second, right?

**MR. BARTON:**

Yes, there is.

**P.O. CARACAPPA:**

All in favor? Opposed? Abstentions?

**MR. BARTON:**

17. (Not Present: Leg. Caracciolo)

**P.O. CARACAPPA:**

***2043 (Amending the 2005 Operating Budget and transferring funds to various agencies).*** Motion by myself, second by Legislator Alden. All in favor? Opposed? Abstentions?

**MR. BARTON:**

17. (Not Present: Leg. Caracciolo)

**P.O. CARACAPPA:**

***2044 (Amending the 2005 Operating Budget and transferring funds for various agencies).*** Motion to table until the sponsor comes back.

**LEG. CARPENTER:**

Second.

**P.O. CARACAPPA:**

Second by Legislator Carpenter. All in favor? Opposed? Abstentions?

**MR. BARTON:**

17. (Not Present: Leg. Caracciolo)



**P.O. CARACAPPA:**

2060.

**LEG. BISHOP:**

Wait, wait. On 2044 ••

**LEG. FOLEY:**

It's tabled, Dave.

**D.P.O. CARPENTER:**

It's tabled.

**LEG. FOLEY:**

It's tabled.

**D.P.O. CARPENTER:**

Let's go.

**LEG. BISHOP:**

Yeah. He won't be back.

**LEG. FOLEY:**

The sponsor's not here. Tabled.

**LEG. BISHOP:**

Go ahead.

**P.O. CARACAPPA:**

Be back in two weeks.

**LEG. BISHOP:**

You have to hurry up anyway with those, because the end of the year.

**P.O. CARACAPPA:**

Like they're going to be signed anyway. **2060 (A Local Law**

***implementing historic property tax exemption for Suffolk County residents).***

**LEG. NOWICK:**

Motion.

**P.O. CARACAPPA:**

Motion by Legislator Nowick, second by Legislator Carpenter.

**LEG. LINDSAY:**

Explanation.

**LEG. VILORIA • FISHER:**

Yes, explanation.

**MS. KNAPP:**

This is a provision of New York State Law that many of the towns have adopted that allows a tax exemption for a period of ten years, and it's a declining tax exemption for improvements to historic properties in historic districts. It's limited to the improvements, it's not for the entire.

**LEG. VILORIA • FISHER:**

Mea, can I ask a question?

**P.O. CARACAPPA:**

Legislator Viloria • Fisher.

**LEG. VILORIA • FISHER:**

Mea, if someone is •• if I'm applying for historic designation on my house, should I recuse myself from this vote?

**MS. KNAPP:**

Have you been granted an historic designation yet?

**LEG. VILORIA • FISHER:**

No.

**MS. KNAPP:**

I don't think it's necessary. You may not be granted it.

**P.O. CARACAPPA:**

There's a motion and a second.

**LEG. ALDEN:**

I have just a quick question.

**P.O. CARACAPPA:**

Question by Legislator Alden.

**LEG. ALDEN:**

If my house is eligible for this, can I vote on this?

**MS. KNAPP:**

Is your house designated as an historic structure?

**LEG. ALDEN:**

It's on •• it could be, yes. It qualifies for it.

**MS. KNAPP:**

I mean, if you're •• if you're not sure, then you may wish to recuse yourself to err on the side of caution. However, if you haven't applied, you're probably not. But somebody may have applied, you think a previous owner?

**LEG. ALDEN:**

Actually, two doors down from me is historic and there's a little bit of a historic district right there, so I might want to take advantage of this.

**LEG. BISHOP:**

What is the tax projected to be?

**LEG. MYSTAL:**

About \$27.

**P.O. CARACAPPA:**

If that.

**D.P.O. CARPENTER:**

No, you can't even know that.

**LEG. MYSTAL:**

Give him a number so we can move on.

**P.O. CARACAPPA:**

Okay. There's a motion and a second. All in favor? Opposed?  
Abstentions?

**LEG. ALDEN:**

Abstain.

**LEG. LOSQUADRO:**

Henry, cosponsor, please.

**LEG. SCHNEIDERMAN:**

Cosponsor, Henry, please.

**P.O. CARACAPPA:**

Abstention, Legislator Alden. Cosponsor, Legislator Schneiderman and Losquadro.

**MR. BARTON:**

16. (Not Present: Leg. Caracciolo)

**P.O. CARACAPPA:**

***2067 (To readjust, compromise, and grant refunds and chargebacks on correction of errors/County Treasurer by: County Legislature #221).*** Motion by myself, second by Legislator Lindsay. All in favor? Opposed? Abstentions?

**MR. BARTON:**

17. (Not Present: Legs. Caracciolo)

**P.O. CARACAPPA:**

***2069 (To readjust, compromise, and grant refunds and chargebacks on correction of errors/County Treasurer by: County Legislature #222).*** Same motion, same second, same vote.

**MR. BARTON:**

17. (Not Present: Leg. Caracciolo)

**P.O. CARACAPPA:**

***2070 (To readjust, compromise, and grant refunds and chargebacks on correction of errors/County Treasurer by: County Legislature #223).*** Same motion, same second, same vote.

**MR. BARTON:**

17. (Not Present: Leg. Caracciolo)

**P.O. CARACAPPA:**

***2085 • Amending the 2005 Operating Budget and transferring funds to the Long Island Maritime Museum.***

**LEG. ALDEN:**

Motion to approve.

**P.O. CARACAPPA:**

Motion to approve by Legislator Alden, second by Legislator Carpenter. All in favor? Opposed? Abstentions?

**MR. BARTON:**

17. (Not Present: Leg. Caracciolo)

**P.O. CARACAPPA:**

***2088 (Transferring contingent funding for various contract agencies (Phase III)).*** Motion by myself, second by Legislator Carpenter. All in favor? Opposed? Abstentions?

**MR. BARTON:**

17. (Not Present: Leg. Caracciolo)

**P.O. CARACAPPA:**

***2101 (Dedicating certain lands now owned by the County of Suffolk to the County Nature Preserve pursuant to Article I of the Suffolk County Charter and Section 406 of the New York Real Property Tax Law (Lilly Pond Park and Nature Preserve, Town of Smithtown) and amending the 2005 Operating Budget).*** Motion by Legislator ••

**LEG. KENNEDY:**

Motion.

**P.O. CARACAPPA:**

•• Kennedy, second by Legislator Carpenter. All in favor? Opposed?

**LEG. VILORIA•FISHER:**

On the motion.

**P.O. CARACAPPA:**

On the motion, Legislator Vilorina•Fisher.

**LEG. VILORIA•FISHER:**

May I have an explanation of this, where it is and what it might be used for, because I understand that this would preclude any kind of •• if it's dedicated to the nature preserve, then it would preclude any kind of activity or development there. And it was my understanding that the County has some use for this property, which it needs for DPW, and that this would preclude their ability to proceed with that. Perhaps somebody from DPW or The County Executive's Office ••

**LEG. KENNEDY:**

Through the Chair, if I can, I just •• in working with this resolution, I worked both with the Department of Public Works and Department of Parks. There were specific parcels that Department of Public Works request be excluded from the nature preserve dedication for the purpose of access for drainage ponds. Those tax map parcels were specifically excluded at the request of the •• Mr. Bartha, the Chairman of Public Works. So they have unfettered

access in order to go ahead and do any maintenance that they may need to do.

**LEG. VILORIA • FISHER:**

Okay. Through the Chair, if I may ask Mr. Sabatino. So those areas that were needed for the drainage have been carved out to the satisfaction of DPW?

**MR. SABATINO:**

Well, I was going to ask for the bill to be tabled, only because we have conflicting information. Tom Isles had advised me that there's a concern about doing some wetland restoration on this particular parcel. So if you dedicate it to the nature preserve, the wetland restoration work can't be done. Now, if something's changed in the intervening period of time, I'd like to have the opportunity just to verify that, because the last written documentation I had gotten from him, which was several weeks ago, was that, you know, his recommendation, I believe he gave the same recommendation at the committee, was that if you put into the nature preserve, you can't do the wetland restoration. So, if you could table it one cycle just so we can get clarification on that, I'd appreciate it.

**LEG. KENNEDY:**

Mr. Chair, I guess certainly I want to address the prerogative of the concerns of the County Executive's Office, but I guess what I'd rather do is I'll ask Ken, I withdraw the motion to approve, pass over it, and see if we can have a conversation with Mr. Isles? I did have that conversation with him, Paul ••

**P.O. CARACAPPA:**

We'll skip over it.

**LEG. KENNEDY:**

•• and he has no concerns. He agrees they've been addressed.

**LEG. FOLEY:**

Speak to him at lunchtime.

**D.P.O. CARPENTER:**

Skip over it.

**LEG. FOLEY:**

You got two hours at lunch.

**ECONOMIC DEVELOPMENT, HIGHER EDUCATION AND ENERGY**

**P.O. CARACAPPA:**

***2007, 7A (Appropriating funds in connection with planning for dormitory housing for Suffolk County Community College).*** Motion by Legislator Carpenter, second by Legislator Foley. Roll call.

**D.P.O. CARPENTER:**

Yes.

**LEG. FOLEY:**

Yes.

**MR. BARTON:**

Schneiderman.

**LEG. LINDSAY:**

This for dormitories.

**MR. BARTON:**

2007. Mr. Schneiderman.

**LEG. SCHNEIDERMAN:**

Yes.

**LEG. O'LEARY:**

Yes.

**LEG. VILORIA • FISHER:**



Yes.

**LEG. LOSQUADRO:**

Yes.

**LEG. LINDSAY:**

No.

**LEG. MONTANO:**

Yes.

**LEG. ALDEN:**

Yes.

**LEG. KENNEDY:**

Yes.

**LEG. NOWICK:**

Yes.

**LEG. BISHOP:**

No.

**LEG. MYSTAL:**

Pass.

**LEG. BINDER:**

Yes.

**LEG. TONNA:**

(Not Present)

**LEG. COOPER:**

Pass.

**P.O. CARACAPPA:**

Yep.

**LEG. MYSTAL:**

Yes.

**LEG. COOPER:**

Yes.

**MR. BARTON:**

Legislator Tonna? 14. (Not Present: Legs. Caracciolo and Tonna)

**P.O. CARACAPPA:**

It's approved. 2107. Motion by myself, second by Legislator Foley. This is •  
• oh, same motion, same second, same vote on the companion resolution.

**LEG. FOLEY:**

Thank you.

**P.O. CARACAPPA:**

***2107 (Amending prior Capital authorized appropriations for the renovation of Central Plaza • design (CP 2187.110) to the renovation of Central Plaza • construction (CP 2187).***

**LEG. FOLEY:**

Motion.

**P.O. CARACAPPA:**

Motion.

**D.P.O. CARPENTER:**

Second.

**P.O. CARACAPPA:**

There's a motion and second already. This is amending a prior capital authorization, okay, so there is •• the bond's are already in place. All in favor? Opposed? Abstentions?

**MR. BARTON:**

16, 2 not present. (Not Present: Legs. Caracciolo and Tonna).

**LEG. FOLEY:**

Thank you.

**LEG. BINDER:**

We're not doing invasive plants? We're not doing invasive plants?

**P.O. CARACAPPA:**

Evasive plants?

**LEG. BISHOP:**

Invasive.

**P.O. CARACAPPA:**

We're going to eat them for lunch.

**LEG. FOLEY:**

We're going to go eat them.

**P.O. CARACAPPA:**

All right. We're going to break now for lunch. We'll be back at 2:30 for public hearings.

***[THE MEETING WAS RECESSED AT 12:30 P.M. AND RESUMED AT 2:35 P.M.]***

**P.O. CARACAPPA:**

Good afternoon. Today's public hearing, Mr. Clerk, the affidavits of publication are in proper order?

**MR. BARTON:**

Yes, they are, Mr. Chairman.

**P.O. CARACAPPA:**

Thank you, sir. First public hearing ***I.R. 1948 • A Local Law***

***strengthening the procedures and remedies o the Suffolk County human Rights Commission.*** I have no cards. Anyone wishing to be heard? Motion to close by myself, second by Legislator Nowick. All in favor? Opposed? Abstentions? Actually, you know what, I withdraw that motion. I'll make a motion to recess, seeing that it was recessed at the last meeting, second by Legislator Nowick. All in favor? Opposed? Abstentions? That's recessed.

***I.R. 2013 • A Local Law to amend Article II of Chapter 270 of the Suffolk County Code to provide further protections under the "Crack House Law".*** I have no cards. Anyone wishing to be heard? Motion to close by myself, second by Legislator Kennedy. All in favor? Opposed? Abstentions? That's closed.

***I.R. 2015 • A Charter Law to provide for enhanced transitional public safety sales and compensating use tax revenue payments to certain towns and villages.*** I have no cards. Anyone wishing to be heard? Motion to close by myself, second by Legislator Lindsay. All in favor? Opposed? Abstentions? 2015 is closed.

***2033 • A Local Law to prohibit all registered sex offenders from residing near schools, day care centers and playgrounds.*** I have no cards. Anyone wishing to be heard? Hearing none, motion by Legislator Bishop to close, second by Legislator Montano. All in favor? Opposed? Abstentions? Public hearing on 2033 is closed.

I.R. •• Public Hearing on ***I.R. 2059 • A local law establishing responsible standards and controls for alarm systems that require Police Department response.*** I have several cards. First speaker is Fred Leonardo. Come up to the podium, and I'll just make you aware, you have five minutes to speak.

**MR. LEONARDO:**

Good afternoon. My name is Fred Leonardo. I'm the President ••

**LEG. ALDEN:**

Turn it on.

**MR. LEONARDO:**

It's on? Test one, two. Okay. Good afternoon. My name is Fred Leonardo. I'm the President of Electronic Systems Central Station Alarms here in Suffolk County. I'm past President of the Long Island Alarm Association, and also past President of the New York Burg. and Fire Alarm Association.

In regards to Suffolk County proposed Local Law 2059•2005, the industry and the Long Island Alarm Association endorse this proposal. We believe that Suffolk County needs this ordinance. It's been proven throughout the country that a well drafted alarm ordinance will reduce the false alarm rate by 50 to 65%. The Long Island Alarm Association has worked with the Suffolk County Police Department on this issue, and we wish to thank the Honorable Jon Cooper and his staff for the many hours he has spent working with the Association on this important piece of legislation. Thank you.

**P.O. CARACAPPA:**

Thank you, sir. Next speaker is Ronald \\_Petrisa\\_, \\_Petrosa\\_. I'm sorry. Petrarca?

**MR. PETRARCA:**

Hello. Yeah, my name is •• my name is Ronald Petrarca, a Board Member and the past Unit President of the LIAA. I am the Vice President of the New York, you know, Burglar and Fire Alarm, you know, Association. I'm here to, you know •• you know, endorse, you know •• yeah, I'm sorry.

**LEG. BISHOP:**

Legislation.

**MR. PETRARCA:**

I get tongue•tied.

**P.O. CARACAPPA:**

That's all right, take your time.

**LEG. NOWICK:**

So do we.

**LEG. TONNA:**

That's okay.

**MR. PETRARCA:**

I'm here to, you know ••

**LEG. TONNA:**

Take your time.

**MR. PETRARCA:**

•• endorse the I.R., you know, 2059 on behalf of the LIAA. We firmly believe that Suffolk County will see, you know, an improvement in, yeah, the false alarm, you know, problem, you know, once this has been, you know, adopted. The Association wishes to thank The Honorable, you know, Jon Cooper for including the Association in the work that we did on this. Thank you very much for your time.

**LEG. TONNA:**

Thank you.

**P.O. CARACAPPA:**

Thank you, sir. Well done. Robert Spetta? \\_Spetsa\\_?

**MR. SPETTA:**

My name is Robert Spetta. I'm President of Alarm Tech Central Service located in Suffolk County. I'm a member of the Central Station Alarm Association, as well as a member of the Long Island Burglar Alarm Association. And while I do support this bill, I feel that there are some things that need to be examined, and one of them being that we could do a couple of more things as far as verification of the alarm laws. But, overall, I feel it's a good bill. It will help reduce false alarms and I'm in support of it. Thank you.

**P.O. CARACAPPA:**

Thank you, sir. I have no other cards. Anyone else wishing to be heard? Legislator Cooper, what's your pleasure?

**LEG. COOPER:**

Motion to close, please.

**LEG. TONNA:**

Second.

**P.O. CARACAPPA:**

Motion to close 2059, second by Legislator Tonna. All in favor? Opposed? Abstentions? 2059 is closed.

There's a motion by Legislator Cooper to reconsider the closing on **2033**, second by Legislator Tonna. All in favor? Opposed? Abstentions? 2033 is before us again. We've heard no speakers. Legislator Cooper would like a motion to •• a motion to recess that public hearing, second by Legislator Tonna. All in favor? Opposed? Abstentions? 2033 is recessed as opposed to closed.

Moving on to I.R. •• **Public Hearing on I.R. 2061 • A Local Law to clarify Planning Commission jurisdiction.** I have no cards. Anyone wishing to be heard? Hearing none, I make a motion to close, second by Legislator Mystal. All in favor? Opposed? Abstentions? That is closed.

Moving on, **Public Hearing on I.R. 2084 • A Local Law to protect residents of Suffolk County against domestic violence.** We have a slew of cards. First speaker is John McGrath.

**MR. MCGRATH:**

Thank you. I've spoken at this Legislature before previously, and on Thursday, the 22nd, I had submitted a document. Does everybody still have it, do we know? If not, I can resubmit.

**LEG. TONNA:**

Yeah, I think you •• all you have to do is give it to the Clerk's Office, the document, and they'll make sure it becomes part of the packet or something.

**MR. MCGRATH:**

Okay? At the end? I'll hand it to you at the end.

**LEG. TONNA:**

I know members of the committee had it.

**MR. MCGRATH:**

Well, I'm not going to really read it to you, I just want to elaborate on it a little bit, because we did have some discussion with the committee that was here on Thursday, the 22nd, and I touched on, briefly, the elements of or concerns of falsely reporting incidents and orders of protection, and it kind of encompasses Legislator Cooper's proposal today. And I was concerned because a lot of these •• I want, you know, the Legislature to be aware that a lot of these false reports stem from court cases of domestic relationships and matrimonial proceedings, and most of them are not true convictions at best, but are more of a compromise by ill informed litigants in proceedings. And whereas I had the problem within that is because you don't necessarily have a victim, what you have instead is a complaining witness. But I will submit for your consideration, because without belaboring the point, I did make seven points in support of, in good faith, of what I believe Legislator Cooper is trying to accomplish here. I was just asking that the Legislature would consider the way that they police and monitor orders of protection in regards to these issues.

I also have questions in regards to the bill. The only thing I object to with the bill and am opposed to is where these actual statistics are coming from in relation •• in relation to what was presented. I don't have the actual bill that was on the website. I looked at it. The figures, I believe, are a little bit inflated, the statistics are slanted, and I don't think they reflect accurately the amount of victims that are truly affected by this bill, a policy. It seems to be gender biased. It seems to be more in support of women. It doesn't make any mention of children, doesn't offer anything specific in relation to men, and these are all important issues that I think need to be addressed.

As I stated before, I had submitted my presentation on the 22nd, 18 copies, but if you don't have them, I have copies again that I will submit. And I



appreciate you taking the time to consider my proposal.

**P.O. CARACAPPA:**

Thank you. Bill Kirchhoff.

**MR. KIRCHHOFF:**

Good afternoon, Ladies and Gentlemen. My name is Bill Kirchhoff. I'm President of Long Island Dads and Big Apple Dads. I'm also a retired New York State Supreme Court Officer.

Today I speak in opposition of the bill, not in a concept, but in the verbiage of it. I am the victim of domestic violence, and I also am the victim of a home invasion. The bill as written protects people involved in domestic violence, but has nothing to do with people of violent crimes on an overall basis. The bill is gender specific to domestic violence. As it is now, if somebody is convicted of domestic violence, Department of Probation or Parole will notify the subject who was the victim upon release. They'll also issue a temporary order of protection, which becomes permanent for five years when they're released from jail.

In your legislation, it specifically says, "The Legislature further finds and determines that while women are less likely than men to be victims of violent crime, women are five times more likely than men to be victims by an intimate partner." It should be victims of any violent crime to be notified, not just victims of domestic crimes. And the bill as written appears to be gender biased. I'm sure that is not your intent, but that's my reading of it. And I would ask that it be amended that it be victims of all crimes and a notification be made, but I see no need for the Sheriff's Department to be making additional notifications when there's procedures that are in place currently by the Department of Probation, by the Department of Parole, and also by the District Attorney's Office. As the bill's written, it's my understanding it's a duplication of services. If anybody has any questions, I'm more than willing to answer them.

**P.O. CARACAPPA:**

Thank you, sir.

**MR. KIRCHHOFF:**

Thank you.

**P.O. CARACAPPA:**

Gordon Kelly.

**MR. KELLY:**

Good afternoon, Ladies and Gentlemen. Thank you for allowing me to testify here today. I myself am also a victim of domestic violence, but much more importantly than that, I would like this Legislature body to be aware of when an issue of domestic violence does come up, it should be is there a pertaining matrimonial divorce proceeding involved?

This has really devolved into a very loathsome thing by members of the court, members of the Bar Administration, lawyer and attorneys encouraging their clients to go into court and lie under oath. They're often asked, "Do you have" •• "Is your husband or wife an adulterer?" "No." "Are they a gambler?" "No." "Do they have a drug problem?" "No, they don't." Well, go •• say, for instance, if you're a police officer. Thousands of police officers are arrested every year in New York State on false malicious charges, that even the arresting police officers know this, that the wife or the husband, it can be both ways, has nothing on their spouse in which they say, "Well, you have nothing on him, so say that he threatened or she threatened you with a gun." The police officer is then arrested, their gun is taken away from them, they're given a desk job, and their career in the Police Department is ruined. And the New York State Legislature and the Policemen's Benevolent Association has done nothing to put an end to this.

And I'm also asking, as I said earlier, for a red flag to go up when this is a domestic violence situation, is there a pending matrimonial? What is the background? What is going on? Thank you very much for your time.

**P.O. CARACAPPA:**

Thank you. Ashley Clark.

**MS. CLARK:**

Hi. Ashley Clark here for Mothers for Shared Parenting. Although we don't

object to this bill in its entirety or in its intent, we do urge you, as the Legislature, to pass a comprehensive victim notification system and one that doesn't include any kind of gender bias, and one that also include children, because children are completely left out of •• out of this bill. Thank you very much.

**P.O. CARACAPPA:**

Thank you. Greg Fischer. Greg Fischer.

**MR. FISCHER:**

My name is Greg Fischer. I'm a Suffolk County resident, Calverton, New York. I also speak against 2048. I do appreciate its intent, but like Ms. Clark's statement, I would find that a comprehensive victim notification system would be far more valuable. This notification system excludes people that might be stalked, or there could be a Class A Felony for assault against such a victim, and those victims would be left out of this legislation. I'd be willing to work with Legislator Cooper to draft a more comprehensive bill.

Also, I'm •• I'd like to for the record leave letters on this. And in addition, I would like to take a moment to speak in favor of requesting a resolution in support of A330 and S291, shared parenting bills before the New York State Assembly and Senate, both proposed by Long Island Legislators, very important bills that will impact greatly domestic situations in Long Island and New York State. And here's a courtesy copy for the Legislators.

**P.O. CARACAPPA:**

Just hand it to the Clerk. Thank you.

**MR. FISCHER:**

Thank you.

**P.O. CARACAPPA:**

Bret Evans.

**MR. EVANS:**

Good afternoon, Legislators. My name is Bret Evans, I'm from

Southampton. I am a father of two young children. I've been in the court system for five years, and I oppose this bill, 2084. The last gentleman, I'm sure he meant 2084, he said 2048 by mistake. The reason I oppose this bill is I'm sure it's a duplicate of a law that's already on the books, and we don't need more paper going back and forth, especially when this bill is a biased bill against half of the population, men. And unless they redraft this bill, I would oppose it very •• 100%. Anybody with an I.Q. of 40 would be able to see this. And I •• and I am a victim of domestic, and the domestic abuse I'm a victim of is eight unfounded reports that were zealously put forth by people that weren't lawyers, but they were victim advocates, and I'm still standing. Thank you.

**P.O. CARACAPPA:**

Thank you for coming. I have no other cards. Anyone else wishing to be heard on this matter? Legislator Cooper, what's your pleasure?

**LEG. COOPER:**

Motion to close, please.

**P.O. CARACAPPA:**

Motion to close 2084, second by Legislator Tonna. All in favor? Opposed? Abstentions? 2084 is closed.

Moving on to ***I.R. 2127, Public Hearing to modify exemption on purchase of sports utility vehicles (SUV's) by Suffolk County***. First speaker is Commissioner Ron Foley.

**COMMISSIONER FOLEY:**

Good afternoon. I have also with me Captain Gary Henke of the Suffolk County Park Police in case you have questions. We're talking about 2127, which would exempt the purchase of Park Police vehicles from the SUV law as it is known.

The Park Police contingent has an authorized fleet of 29 vehicles. On August 17th this year eight of those vehicles were in service. Part of the reason for having only eight vehicles in service was the decommissioning of 12 vehicles

without being replaced. Part of the reason for that, lack of replacements, is the kind of onerous process one has to go through to get four-wheel-drive vehicles, which are very important to the Park Police Department. The work they do with these vehicles is true police work. They're protecting people, they're protecting property, and they're protecting the environment that Suffolk County residents have invested millions of dollars here. So our appeal here and my urging you to support this legislation is just to streamline the process to replace police vehicles, so they don't get bound up in some heavy duty procedures delaying acquisition of vehicles, sometimes for as much as a year. And if you have any questions, I'd be glad to answer them.

**LEG. VILORIA•FISHER:**

I just want to ask him a question.

**P.O. CARACAPPA:**

Legislator Vilorina•Fisher.

**LEG. VILORIA•FISHER:**

Thank you for coming down, Commissioner. To which law are you referring?

**COMMISSIONER FOLEY:**

This is Resolution 2127.

**LEG. VILORIA•FISHER:**

No, I know this one in which you're asking for an exemption, but I thought that we had ••

**COMMISSIONER FOLEY:**

It modifies Chapter 186 of the Suffolk County Code, which sets a procedure for purchase of SUV vehicles, essentially four-wheel drive vehicles.

**LEG. VILORIA•FISHER:**

But I thought that that contained an exemption already for Police.

**COMMISSIONER FOLEY:**

Contains an exception to Police and Sheriff's Department, but it was not interpreted that that was Park Police ••

**LEG. VILORIA • FISHER:**

Ah.

**COMMISSIONER FOLEY:**

•• or the Fire, Rescue and Emergency Services.

**LEG. VILORIA • FISHER:**

Okay.

**COMMISSIONER FOLEY:**

So we're asking that Park Police and FRES be exempted in the same way.

**LEG. VILORIA • FISHER:**

Because I thought I recalled an exemption there for Police ••

**COMMISSIONER FOLEY:**

Yes.

**LEG. VILORIA • FISHER:**

•• but it didn't specify Park Police, it was ••

**COMMISSIONER FOLEY:**

That's correct.

**LEG. VILORIA • FISHER:**

•• Suffolk County Police Department. Okay. Thank you.

**LEG. BISHOP:**

I have a question.

**P.O. CARACAPPA:**

Legislator Bishop.

**LEG. BISHOP:**

What's the burden that the legislation requires that you're trying to get relief from? All you have to do is say •• provide a justification, right?

**COMMISSIONER FOLEY:**

And that's what I thought, too, but it seems to take a very long time to get that justification up to the point of putting in a resolution before you. I'm •• we're not in complete control of this process. DPW provides those services for us. The result of this last year was by the time they got a resolution together, we were short 12 vehicles that were just declared junk and taken off the road, whereas with the Suffolk County Police Department, there seems to be a continuous flow of replacements without the justification that causes DPW to wait a year to put the request in.

**LEG. BISHOP:**

I don't know what intrigue goes on in the Executive Branch, but I suspect that may be an excuse rather than the cause. But be that as it may ••

**COMMISSIONER FOLEY:**

Well, this is ••

**LEG. BISHOP:**

•• it's police and there's a logic to it, but I don't think that the burden is particularly great. It's supposed to be, if you want an SUV, you just have to provide a justification for it. I don't ••

**COMMISSIONER FOLEY:**

It seems simple, but in practice it doesn't appear to be.

**LEG. BISHOP:**

Yes. All right.

**P.O. CARACAPPA:**

I have a question.

**LEG. BISHOP:**

So, rather than make it simpler over there, we'll ••



**P.O. CARACAPPA:**

Yeah, that's the point I was going to get to. Commissioner, you come here asking for an exemption, and have you had discussions with your County Executive, your boss.

**COMMISSIONER FOLEY:**

We have, and we asked for this exemption. They looked at the practices and said, "You're right."

**P.O. CARACAPPA:**

Aside from the process, why do you feel it's taken so long to get these waivers?

**COMMISSIONER FOLEY:**

I don't know that I can answer that.

**P.O. CARACAPPA:**

You don't know if you can or you don't want to?

**COMMISSIONER FOLEY:**

I don't know if I can accurately. I'm not involved in every step of the process DPW is going through. I know we provide assistance to them in preparing these justifications. I am not certain of what takes so long.

**P.O. CARACAPPA:**

Is it DPW, or do you feel that it's going through DPW and being stopped at the Executive level?

**COMMISSIONER FOLEY:**

I'm not sure, and I don't want to speculate.

**P.O. CARACAPPA:**

Well, it would be helpful for us if we knew.

**COMMISSIONER FOLEY:**

Okay.



**P.O. CARACAPPA:**

Anyone else? Thank you Commissioner.

**COMMISSIONER. FOLEY:**

Thank you.

***[SUBSTITUTION OF STENOGRAPHER • ALISON MAHONEY]***

**P.O. CARACAPPA:**

Commissioner Williams.

**COMMISSIONER WILLIAMS:**

Good afternoon. Basically I'm here to ask for your support for that same bill. Unfortunately I have some of the same answers you just asked, but this is especially the problems that we're running into at FRES. All our vehicles are considered emergency vehicles. One of the problems we're running into, as far as it was explained to me, is that the timely manner in getting them replaced. I think the way it was explained to me, right now the Suffolk County PD and Sheriff's Department, if they have vehicles that are down, whether they be four-wheel drives or not, if they need to get a replacement, there is a process put in place. We're looking to, from what I understand, this bill to be in that same process.

All the Fire Marshal's cars including my own car, the Deputy's car, we all respond to emergency scenes with the cars. The difficulty we're running through right now, we have basically 18 cars assigned to my department, we have three four-wheel drives, they were out of service for a long time, one since last February which we're looking to get a replacement for. When our cars go down it requires either to double up with our Fire Marshals in the same vehicles, it does run into a problem because what happens when they go home in the evening, every one of them is subject to call-out. If we pool a pool car out of the pool, what happens is subject to them trying to get to a scene, no lights, no sirens, no radio communications other than a hand-set; they do drive carefully. So my purpose here today is to ask for your consideration of this bill, it would help us out tremendously.

**P.O. CARACAPPA:**

Legislator Fisher.

**LEG. VILORIA•FISHER:**

Does this particular bill specifically mention FRES and Parks?

**COMMISSIONER WILLIAMS:**

Yes, it does. It adds to •• right now Suffolk County PD and Sheriff's Department has this exemption, we're looking to be included in that same exemption.

**LEG. VILORIA•FISHER:**

Does it mention any other ••

**COMMISSIONER WILLIAMS:**

No. As far as I know, I've looked at the bill, all I've seen is FRES and Suffolk County Parks.

**LEG. VILORIA•FISHER:**

Okay. Thank you, Commissioner.

**COMMISSIONER WILLIAMS:**

Parks Police, excuse me.

**LEG. VILORIA•FISHER:**

Police. Thank you.

**P.O. CARACAPPA:**

Anyone else? Thank you, Commissioner.

I have no other cards. Anyone wishing to be heard? Motion to close by myself, second by Legislator Lindsay. All in favor? Opposed? Abstentions? It's closed.

I'd like to make a motion, second by Legislator Kennedy to set the following dates and times for the following public hearings; the date of Thursday, December 1st, 2005, at 9:30 AM, the Ways & Means Committee here in

Hauppauge for IR 2191. Also setting the date of Tuesday, December 6th, 2005, 2:30 PM at the General Meeting at the Maxine Postal Auditorium in Riverhead for the following public hearings; 2150, 2154, 2157, 2206, 2281, 2282, 2283, 2284, 2308, 2309. There's a motion and a second to set those dates and times and locations. All in favor? Opposed? Abstentions? Those public hearings are set.

Going back to the agenda, page 10.

**Environment, Planning & Agriculture:**

***1727•05 • Adopting Local Law No. 2005, a Local Law to prevent the spread of invasive non•native aquatic plants and animals in Suffolk County (O'Leary).*** Motion by ••

**LEG. LOSQUADRO:**

Could we ask members to come back?

**P.O. CARACAPPA:**

I ask all Legislators to please report to the horseshoe.

**LEG. LINDSAY:**

What was the number, Joe?

**P.O. CARACAPPA:**

Page 10, 1727.

**LEG. LINDSAY:**

Okay, got it.

**LEG. SCHNEIDERMAN:**

Mr. Presiding Officer, there are two bills that I would like to discharge from Affordable Housing Ad Hoc Committee. We didn't have a quorum so we couldn't move two bills, they're pro forma 72•h bills.

I think there's a one hour waiting period.

**P.O. CARACAPPA:**

Yep.

**LEG. SCHNEIDERMAN:**

They have been distributed, so I would make a motion.

**P.O. CARACAPPA:**

There's a motion to discharge 2123 and 2124 ••

**LEG. VILORIA • FISHER:**

Second.

**P.O. CARACAPPA:**

•• from committee by Legislator Schneiderman, second by Legislator Vilorina • Fisher. All in favor? Opposed? Abstentions? I'm opposed.

**MR. BARTON:**

14 (Opposed: Legislator Caracappa • Not Present: Caracciolo, Foley, Bishop.)

**P.O. CARACAPPA:**

Henry, did you call the vote?

**MR. BARTON:**

14, yes.

**P.O. CARACAPPA:**

Okay, it's discharged.

Okay, now we can do invasive plants. 1727, motion by Legislator O'Leary, second by Legislator Losquadro. All in favor? Opposed?

**LEG. LINDSAY:**

Opposed.

**P.O. CARACAPPA:**

Abstentions? Opposed, Legislator Lindsay.

**MR. BARTON:**

13•1•0•4 (Opposed: Legislator Lindsay • Not Present: Legislators Caracciolo, Foley, Bishop & Carpenter)

**P.O. CARACAPPA:**

***1741•05 • Authorizing planning steps for the acquisition of land under the Multifaceted Land Preservation Program, Hawkins Avenue property, Town of Brookhaven (SCTM No. 0200•689.00•01.00 •018.001)(Caracappa).*** Motion by myself, second by Legislator Kennedy. All in favor? Opposed? Abstentions?

**MR. BARTON:**

14 (Not Present: Legislators Caracciolo, Foley, Bishop & Carpenter).

**P.O. CARACAPPA:**

***1952•05 • Authorizing planning steps for acquisition under Suffolk County Multifaceted Land Preservation Program (Casco LLC Property) (Town of Brookhaven (Caracciolo).***

**LEG. LOSQUADRO:**

Motion.

**P.O. CARACAPPA:**

Motion by Legislator Losquadro, second by Legislator O'Leary. All in favor? Opposed? Abstentions?

**MR. BARTON:**

14 (Not Present: Legislators Caracciolo, Foley, Bishop & Carpenter).

***1953•05 • Authorizing planning steps for acquisition under Suffolk County Multifaceted Land Preservation Program (Eastport Manor Property) (Town of Brookhaven (Caracciolo).***

**LEG. LOSQUADRO:**

Same motion.

**P.O. CARACAPPA:**

Same motion, same second, same vote.

**MR. BARTON:**

14 (Not Present: Legislators Caracciolo, Foley, Bishop & Carpenter).

**P.O. CARACAPPA:**

***2017•05 • Authorizing planning steps for the acquisition of land under the Suffolk County Save Open Space (SOS), Farmland Preservation and Hamlet Parks Fund (Estate of Elva G. Commerdinger) Town of Smithtown (SCTM No. 0800•170.00•02.00•033.001).*** Motion by Legislator Kennedy, second by Legislator Nowick. All in favor? Opposed? Abstentions?

**MR. BARTON:**

14 (Not Present: Legislators Caracciolo, Foley, Bishop & Carpenter).

**P.O. CARACAPPA:**

***2020•05 • Making a SEQRA determination in connection with the proposed to Sewer District #3 • Southwest Sludge Project/Ash Lagoons, Town of Babylon (Presiding Officer).*** Motion by Legislator Mystal, second by Legislator Losquadro. All in favor? Opposed? Abstentions?

**MR. BARTON:**

14 (Not Present: Legislators Caracciolo, Foley, Bishop & Carpenter).

**P.O. CARACAPPA:**

***2076•05 • Authorizing acquisition of land under the First 91987, as amended 1996) 1/4% Suffolk County Drinking Water Protection Program • Town of Islip (Dileo property/Champlin Creek addition) (SCTM No. 0500•250.00•01.00•051.000) (County Executive).*** Motion by Legislator Alden, second by Legislator Lindsay. All in favor? Opposed? Abstentions?

**MR. BARTON:**

14 (Not Present: Legislators Caracciolo, Foley, Bishop & Carpenter).

**P.O. CARACAPPA:**

***2109, 2109A • Amending the 2005 Capital Budget and Program and appropriating funds in connection with public health related algal blooms (CP 8224)(County Executive).*** Motion by Legislator Losquadro, second by Legislator Vilorio•Fisher. All in •• roll call.

**MR. BARTON:**

On the bond.

***(\*Roll Called by Mr. Barton • Clerk\*)***

**LEG. LOSQUADRO:**

Yes.

**LEG. VILORIA•FISHER:**

Yes.

**LEG. SCHNEIDERMAN:**

Yes.

**LEG. O'LEARY:**

Yes.

**LEG. FOLEY:**

(Not Present).

**LEG. LINDSAY:**

Yes.

**LEG. MONTANO:**

Yes.

**LEG. ALDEN:**

Yes.

**LEG. KENNEDY:**

Yes.

**LEG. NOWICK:**

Yes.

**LEG. BISHOP:**

(Not Present).

**LEG. MYSTAL:**

Yes.

**LEG. BINDER:**

Yes.

**LEG. TONNA:**

Yep.

**LEG. COOPER:**

Yes.

**LEG. CARPENTER:**

(Not Present).

**P.O. CARACAPPA:**

Yeah.

**MR. BARTON:**

14 on the bond (Not Present: Legislators Caracciolo, Foley, Bishop & Carpenter).

**P.O. CARACAPPA:**

Same motion, same second, same vote on the companion resolution.

***2126•05 • Amending the 2005 Capital Budget and Program and appropriating funds in connection with the Suffolk County Community Greenways Fund Educational and Interpretive Center***



**(CP 7150) (County Executive).**

**LEG. ALDEN:**

Motion.

**LEG. VILORIA•FISHER:**

Second.

**P.O. CARACAPPA:**

Motion by Legislator Alden, second by Legislator Vilorina•Fisher.

All in favor? Opposed? Abstentions?

**MR. BARTON:**

14 (Not Present: Legislators Caracciolo, Foley, Bishop & Carpenter).

**P.O. CARACAPPA:**

If we're amending the 2005 Capital Budget, shouldn't there be a bond?

**MS. KNAPP:**

This was the Greenways money and the money was •• the bond money on Greenways, the whole \$62 million ••

**P.O. CARACAPPA:**

Oh, we did it in one vote, right. Okay, thank you.

**LEG. VILORIA•FISHER:**

Good answer.

**LEG. LOSQUADRO:**

Motion.

**LEG. VILORIA•FISHER:**

We already did that.

**LEG. LOSQUADRO:**

Oh.

**P.O. CARACAPPA:**

All in favor? Opposed? Abstentions? Get the vote.

**MR. BARTON:**

I don't have the motion.

**P.O. CARACAPPA:**

The motion was Legislator Alden, second by Legislator Vilorio•Fisher.

**MR. BARTON:**

Thank you. 14 (Not Present: Legislators Caracciolo, Foley, Bishop & Carpenter).

**P.O. CARACAPPA:**

***2128•05 • Amending Resolution No. 1304•2004 to authorize acquisition of Farmland Development Rights under the Suffolk County Save Open Space (SOS), Farmland Preservation and Hamlet Parks Fund for the Hoshyla Property (SCTM No. 0200•508.00•01.00 •020.001 P/O) Town of Brookhaven (County Executive).*** Same motion? Is there a motion?

**LEG. O'LEARY:**

So moved.

**P.O. CARACAPPA:**

Legislator O'Leary, second by Legislator Vilorio•Fisher. All in favor? Opposed? Abstentions?

**MR. BARTON:**

14 (Not Present: Legislators Caracciolo, Foley, Bishop & Carpenter).

**P.O. CARACAPPA:**

***2129•05 • Authorizing acquisition under the Suffolk County Multifaceted Land Preservation Program, Open Space for the Lingo I Associates Property • Sagaponack Woods, Town of Southampton***

**(SCTM No. 0900•055.00•02.00•011.001)(County Executive).** Motion by Legislator Schneiderman, second by Legislator Losquadro. All in favor? Opposed? Abstentions?

**MR. BARTON:**

14 (Not Present: Legislators Caracciolo, Foley, Bishop & Carpenter).

**P.O. CARACAPPA:**

**2130, 2130A • Appropriating funds in connection with the Suffolk County Multifaceted Land Preservation Program (CP 7177) (County Executive).** Is there a motion?

**LEG. LOSQUADRO:**

Motion.

**P.O. CARACAPPA:**

Motion by Legislator Losquadro. Is there a second?

**LEG. LINDSAY:**

Yeah, I'll second it for the purpose of discussion.

**P.O. CARACAPPA:**

Seconded by Legislator Lindsay. On the motion, Legislator Lindsay.

**LEG. LINDSAY:**

I can't pull up the backup on this, could somebody clarify for me what we're talking about monetarily?

**MS. KNAPP:**

It's \$12,051,750. The only •• the only question I had on it in the WHEREAS', this is the money, it's Multifaceted money which can also be included •• can also be used for affordable housing. The WHEREAS' didn't mention affordable housing, but the legislation certainly does, so the appropriation should cover all appropriate Multifaceted ••

**LEG. LINDSAY:**

So we're just appropriating the money into a pool and using it at a later

date, is that the idea?

**MS. KNAPP:**

Yes, that's exactly what we're doing.

**P.O. CARACAPPA:**

Roll call.

**MR. BARTON:**

On the bond.

*(\* Roll Called by Mr. Barton • Clerk \*)*

**LEG. LOSQUADRO:**

Yes.

**LEG. LINDSAY:**

Yes.

**LEG. CARACCILOLO:**

(Not Present).

**LEG. SCHNEIDERMAN:**

Yes.

**LEG. O'LEARY:**

Yes.

**LEG. VILORIA • FISHER:**

Yes.

**LEG. FOLEY:**

(Not Present).

**LEG. MONTANO:**

Yes.

**LEG. ALDEN:**

Yes.

**LEG. KENNEDY:**

Yes.

**LEG. NOWICK:**

Yes.

**LEG. BISHOP:**

Yes.

**LEG. MYSTAL:**

Yes.

**LEG. BINDER:**

Yes.

**LEG. TONNA:**

Yep.

**LEG. COOPER:**

Yes.

**LEG. CARPENTER:**

(Not Present).

**P.O. CARACAPPA:**

Yep.

**MR. BARTON:**

15, three not present on the bond. (Not Present: Legislators Caracciolo, Foley & Carpenter)

**P.O. CARACAPPA:**

Same motion, same second, same vote on the bond.

**2131•05 • Authorizing acquisition of land under the new Suffolk County Drinking Water Protection Program • Open Space Component • Chustckie Property • Town of Brookhaven (SCTM No. 0200•982.10 •06.00•025.000) (County Executive).** Motion by Legislator O'Leary, second by Legislator Losquadro. All in favor? Opposed? Abstentions?

**MR. BARTON:**

15 (Not Present: Legislators Caracciolo, Foley & Carpenter).

**P.O. CARACAPPA:**

**2132•05 • Authorizing acquisition under the Suffolk County Multifaceted Land Preservation Program • Open Space Preservation for the Jacs Associates, LP property • Overton Preserve (Town of Brookhaven • SCTM No. 0200•544.00•01.00•002.000) (County Executive).** Motion by Legislator Losquadro, second by Legislator Vilorio•Fisher. All in favor? Opposed? Abstentions?

**MR. BARTON:**

15 (Not Present: Legislators Caracciolo, Foley & Carpenter).

**P.O. CARACAPPA:**

**2133•05 • To reestablish the Lake Ronkonkoma Advisory Board (Kennedy).**

**LEG. KENNEDY:**

Motion to approve.

**P.O. CARACAPPA:**

Motion by Legislator Kennedy, second by Legislator Nowick. What's the makeup of the board, Legislator Kennedy?

**LEG. KENNEDY:**

It would be an eleven member body, it would incorporate the representatives from each one of the three participating towns. It would

include the Chamber, Lake Ronkonkoma Civic, the State representatives that are involved, and in total I believe it would be an eleven member board.

**LEG. ALDEN:**

The Legislature?

**LEG. KENNEDY:**

Yes, 10th and 12th.

**P.O. CARACAPPA:**

Yeah, I have it here in front of me; a representative from the 10th Legislative District, a representative from the 12th Legislative District. Why not the 4th or the 8th and the 7th?

**LEG. LINDSAY:**

The 8th doesn't go up that far anymore, Joe. I stop at the Expressway now, but you do, you go up there.

**LEG. ALDEN:**

You might want that piece back, bill.

**LEG. LINDSAY:**

No thanks.

**LEG. KENNEDY:**

Certainly I'm not opposed to going ahead and including other Legislative Districts if there was an interest by colleague Legislators, certainly. But the 10th and the 12th basically at this point contain the whole of the lake itself and the surrounding watershed area.

**P.O. CARACAPPA:**

Now, when you say Lake Ronkonkoma, it's not just •• it's not the hamlet, you're talking specifically about the lake.

**LEG. KENNEDY:**

Yes. As a matter of fact, the advisory board is specifically about •• it's come out of actually their Tri•Town Task Force ••

**P.O. CARACAPPA:**

Okay.

**LEG. KENNEDY:**

•• which you've been familiar with.

**P.O. CARACAPPA:**

The reason I ask, I've served on the Lake Ronkonkoma Advisory Board for eleven years in its past constitution or makeup and though we've looked at the lake and areas •• it was mostly •• we took into account factors of ••

**LEG. KENNEDY:**

Watershed.

**P.O. CARACAPPA:**

•• of working its way outwards from the lake in all three towns, Islip, Brookhaven and Smithtown.

**LEG. KENNEDY:**

I'd be happy to go ahead and table it and amend the composition.

**P.O. CARACAPPA:**

No, that's not necessary. I'm sure myself or one of my •• someone representing me will sit in on all the meetings anyway.

**LEG. KENNEDY:**

Absolutely, I'll make sure that there's notice to the office.

**P.O. CARACAPPA:**

Okay.

**LEG. LINDSAY:**

Joe?

**P.O. CARACAPPA:**



Legislator Lindsay.

**LEG. LINDSAY:**

The other thing •• and again, I'm having trouble with my computer so I can't pull up the actual verbiage. But when we had this before, there's a couple of youth organizations that used Raynor Park.

**LEG. KENNEDY:**

Yes.

**LEG. LINDSAY:**

St. Joseph CYO, Lake Grove Soccer, we've always included them as well because they had an interest in the park.

**LEG. KENNEDY:**

Again, this effort that I've been involved with most recently has been efforts that have been focused primarily on the lake restoration, it comes out of Councilwoman Esposito's group which everybody I guess is familiar with. But certainly there was no effort on our part or attempt on my part to exclude organizations, either is voting members or certainly as invitees. I'd be happy to go ahead and make meeting notices available to any group that's got an interest.

**P.O. CARACAPPA:**

Okay? Motion and a second. All in favor? Opposed? Abstentions?

**MR. BARTON:**

15 (Not Present: Legislators Caracciolo, Foley & Carpenter).

**P.O. CARACAPPA:**

**Health & Human Services:**

***1828•05 • To establish an information program to protect Suffolk County residents from the dangers of over exposure to the sun***

**(Viloria • Fisher).** Legislator Viloria•Fisher?

**LEG. VILORIA•FISHER:**

Motion to approve.

**P.O. CARACAPPA:**

Motion to approve by Legislator Viloria•Fisher, second by Legislator Binder.  
All in favor? Opposed? Abstentions?

**MR. BARTON:**

15 (Not Present: Legislators Caracciolo, Foley & Carpenter).

**P.O. CARACAPPA:**

***2105, 2105A • Appropriating funds in connection with the purchase of equipment for the Arthropod Borne Disease Laboratory (CP 4052) (County Executive).*** Motion by Legislator Foley.

**MR. BARTON:**

He's not present.

**P.O. CARACAPPA:**

Oh, not present. Motion by Legislator Montano, second by Legislator Tonna.

**LEG. LINDSAY:**

Question on that.

**P.O. CARACAPPA:**

On the motion, Legislator Lindsay.

**LEG. LINDSAY:**

What's an arthropod•borne disease laboratory?

**P.O. CARACAPPA:**

I believe that's West Nile.

**LEG. TONNA:**

What's the question? Sorry.

**LEG. MYSTAL:**

What is arthropod disease.

**LEG. TONNA:**

We went into this whole thing. It's mosquito related, how's that?

**LEG. LINDSAY:**

Okay.

**LEG. TONNA:**

All right? We have the basic arthropods and then we have anthropods, and so that's an anthropod.

**LEG. COOPER:**

Thank you, Paul.

**MS. KNAPP:**

No, this is arthropod.

**P.O. CARACAPPA:**

This is arthropod.

**LEG. TONNA:**

Oh, it's an arthropod, this is the arthropod one? Well, you know, they're an invertebrate and let's start there.

**P.O. CARACAPPA:**

Okay? Motion and a second. Roll call.

*(\*Roll Called by Mr. Barton • Clerk\*)*

**LEG. MONTANO:**

Sure, yeah.

**LEG. TONNA:**

Yes.

**LEG. SCHNEIDERMAN:**

Yes.

**LEG. O'LEARY:**

Yes.

**LEG. VILORIA • FISHER:**

Yes.

**LEG. LOSQUADRO:**

Yes.

**LEG. FOLEY:**

Yes.

**LEG. LINDSAY:**

Yes.

**LEG. ALDEN:**

Yes.

**LEG. KENNEDY:**

Yes.

**LEG. NOWICK:**

Yes.

**LEG. BISHOP:**

Yes.

**LEG. MYSTAL:**

Yes.

**LEG. BINDER:**

Yes.

**LEG. COOPER:**

Yes. And do you know that arthropods constitute over 90% of the animal kingdom?

**P.O. CARACAPPA:**

Why'd you say my name after animal kingdom? Yes.

**LEG. MYSTAL:**

And one of them is named Cooper.

**MR. BARTON:**

16 on the bond (Not Present: Legislators Carpenter & Caracciolo).

**P.O. CARACAPPA:**

Same motion, same second, same vote on the companion resolution.

**Parks & Cultural Affairs:**

***2025•05 • Authorizing the Suffolk County Department of Parks, Recreation and Conservation to enter into a stewardship agreement with Ducks Unlimited for Beaver Dam Creek (Brookhaven Hamlet) (County Executive).*** Motion by Legislator Losquadro, second by Legislator Vilorio•Fisher. All in favor? Opposed? Abstentions?

**MR. BARTON:**

16 (Not Present: Legislators Carpenter & Caracciolo).

**P.O. CARACAPPA:**

***2094•05 • To appoint Raymond F. Zaccaro as a member of the Suffolk County Citizens Advisory Board for the Arts (Bishop).*** Ray Zaccaro, an old friend. Where is Ray?

**MS. BURKHARDT:**

Right there.

**P.O. CARACAPPA:**

Hey, Ray, good to see you again. Motion by Legislator Bishop, second by Legislator Lindsay. All in favor? Opposed? Abstentions?

**MR. BARTON:**

16 (Not Present: Legislators Carpenter & Caracciolo).

**LEG. LINDSAY:**

You see how far he's sitting away from Bishop?

**P.O. CARACAPPA:**

***2102, 2102A • Appropriating funds in connection with fencing for County Parks (CP 7007) (County Executive).*** Motion by Legislator Schneiderman, second by Legislator O'Leary. Roll call on the bond.

***(\*Roll Called by Mr. Barton • Clerk\*)***

**LEG. SCHNEIDERMAN:**

Yes.

**LEG. O'LEARY:**

Yes.

**LEG. VILORIA • FISHER:**

Yes.

**LEG. LOSQUADRO:**

Yes.

**LEG. FOLEY:**

Yes.

**LEG. LINDSAY:**

Yes.

**LEG. MONTANO:**

Yes.

**LEG. ALDEN:**

Yes.

**LEG. KENNEDY:**

Yes.

**LEG. NOWICK:**

Yes.

**LEG. BISHOP:**

Yes.

**LEG. MYSTAL:**

Yes.

**LEG. BINDER:**

Yes.

**LEG. TONNA:**

Yeah.

**LEG. COOPER:**

Yep.

**P.O. CARACAPPA:**

Yep.

**MR. BARTON:**

16 on the bond (Not Present: Legislators Carpenter & Caracciolo).

**P.O. CARACAPPA:**

Same motion, same second, same vote on the companion resolution.

***2110, 2110A • Appropriating funds in connection with the stabilization of historic structures and buildings at County parks (CP***

**7510)**

**(County Executive).** Motion by Legislator Schneiderman, second by Legislator Foley. Roll call.

**(\*Roll Called by Mr. Barton • Clerk\*)**

**LEG. SCHNEIDERMAN:**

Yes.

**LEG. O'LEARY:**

Yes.

**LEG. VILORIA • FISHER:**

Yes.

**LEG. LOSQUADRO:**

Yes.

**LEG. FOLEY:**

Yes.

**MR. BARTON:**

I'm sorry, I should have •• you're the second, I'm sorry.

**LEG. LINDSAY:**

Yes.

**LEG. MONTANO:**

Yes.

**LEG. ALDEN:**

Yes.

**LEG. KENNEDY:**

Yes.



**LEG. NOWICK:**

Yes.

**LEG. BISHOP:**

Yes.

**LEG. MYSTAL:**

Yes.

**LEG. BINDER:**

Yes.

**LEG. TONNA:**

Yep.

**LEG. COOPER:**

Yes.

**P.O. CARACAPPA:**

Yes.

**MR. BARTON:**

16 on the bond (Not Present: Legislators Carpenter & Caracciolo).

**P.O. CARACAPPA:**

Same motion, same second, same vote on the companion resolution.

***2138•05 • Renaming Warbler Woods County property in the Town of Brookhaven as the Dennis Puleston Warbler Woods Preserve (County Executive).***

**LEG. O'LEARY:**

Motion.

**LEG. VILORIA•FISHER:**

Second.

**P.O. CARACAPPA:**

Motion by Legislator O'Leary, second by Legislator Vilorio•Fisher.  
All in favor? Opposed? Abstentions?

**MR. BARTON:**

16 (Not Present: Legislators Carpenter & Caracciolo).

**P.O. CARACAPPA:**

***2147•05 • Naming County parkland in Blue Point as Bryan Andersen Memorial Park (Foley).***

**LEG. FOLEY:**

Motion.

**P.O. CARACAPPA:**

Motion by Legislator Foley, second by Legislator O'Leary.  
All in favor? Opposed? Abstentions?

**MR. BARTON:**

16 (Not Present: Legislators Carpenter & Caracciolo).

**LEG. FOLEY:**

Thank you.

**P.O. CARACAPPA:**

**Public Safety & Public Information:**

***1930•05 • Establishing a pilot program to study the use of electronic monitoring devices for DWI offenders (O'Leary).*** Motion by Legislator O'Leary, second by myself. All in favor?

**LEG. FOLEY:**

Explanation, please.

**LEG. O'LEARY:**

Through the Chair?

**P.O. CARACAPPA:**

Legislator O'Leary.

**LEG. O'LEARY:**

Yeah, this particular bill establishes a pilot program for the purposes of studying chronic DWI offenders, repeat offenders. It puts an ankle bracelet on them that monitors alcohol consumption, data is collected and then reported to a main agent which would be the Probation Department who would be running this pilot program. The Probation Department has, in fact, examined and looked at the device itself and they say it's extremely compatible and acceptable to them. Again, this is a pilot program for the purposes of studying the feasibility of implementing this as a permanent program within the County.

**LEG. FOLEY:**

Thank you.

**P.O. CARACAPPA:**

Legislator Lindsay.

**LEG. LINDSAY:**

Is there a cost attached to it? How many of these units are we buying, Pete?

**LEG. O'LEARY:**

I think the initial one is 20 and the initial cost I believe is about 50,000 a year, Bill; that's the estimated cost for the 20 units.

**LEG. LINDSAY:**

For the 20 units?

**P.O. CARACAPPA:**

Legislator Alden?

**LEG. ALDEN:**

To the sponsor; is this going to give them real •• you know, real time data or is it just a collection of data that will be analyzed at a later date?

**LEG. O'LEARY:**

No, actually real time data. It won't, however, be immediate, it would be the following day at the earliest. In other words, if the individual who is placed in this particular •• on this device is directed by the courts, in lieu of being incarcerated the individual would wear this device with the understanding that he would not be consuming alcohol and that's exactly what it does. It's been very effective throughout the country, in particular in the states of Pennsylvania and Delaware where it has reduced recidivism substantially.

**LEG. ALDEN:**

This is the type that •• you've got the ankle bracelet or, you know, some type of bracelet and then you've got the sending unit at home?

**LEG. O'LEARY:**

Yeah. The individual himself would be required to •• depending on the direction of the court, to be within I think it's 20 or 30 feet of that device, that modem which will report the data.

**LEG. ALDEN:**

Good. Thanks.

**P.O. CARACAPPA:**

Okay. There's a motion and a second. All in favor? Opposed? Abstentions?

**LEG. COOPER:**

Cosponsor, Henry.

**LEG. BISHOP:**

May I cosponsor?

**LEG. ALDEN:**

Cosponsor.

**LEG. MYSTAL:**

Cosponsor.

**LEG. NOWICK:**

Cosponsor, Henry.

**LEG. KENNEDY:**

Yeah, Henry, put me on there.

**P.O. CARACAPPA:**

Got it?

**MR. BARTON:**

Yes. (16 • Not Present: Legislators Carpenter & Caracciolo).

**P.O. CARACAPPA:**

***2030•05 • Amending the 2005 Capital Budget and appropriating Capital Budget and Program Pay•as•you•Go funds in connection with the purchase of Public Safety Answering Point (PSAP) data collection equipment for the Department of Fire, Rescue & Emergency Services (FRES)(CP 3416) (Carpenter).***

**LEG. O'LEARY:**

Motion.

**P.O. CARACAPPA:**

Motion by Legislator O'Leary.

**LEG. KENNEDY:**

Second.

**P.O. CARACAPPA:**

Second by Legislator Kennedy. On the motion, Legislator Lindsay.

**LEG. LINDSAY:**

Again, I'm having trouble pulling up the actual bill.

**LEG. NOWICK:**

None of them are working.

**LEG. LINDSAY:**

None of them are working?

**LEG. NOWICK:**

You have to go into the Introductory Resolutions the other way.

**LEG. LINDSAY:**

Okay. What's the cost on this?

**MS. KNAPP:**

It looks like it's \$17,200 transferring from the General fund to Fire Rescue CAD System.

**LEG. BISHOP:**

So it's pay•as•you•go.

**P.O. CARACAPPA:**

Yes, 2005 monies.

**LEG. BISHOP:**

Very good.

**LEG. FOLEY:**

How much, 17,000?

**P.O. CARACAPPA:**

Yes.

**LEG. O'LEARY:**

Seventeen two.

**P.O. CARACAPPA:**

There's a motion and a second. All in favor? Opposed? Abstentions?

**MR. BARTON:**

16 (Not Present: Legislators Carpenter & Caracciolo).

**LEG. BISHOP:**

Cosponsor.

**P.O. CARACAPPA:**

Cosponsor, Legislator Bishop.

***2082 • 05 • Approving the reappointment of Michele DelMonte as a member of the Suffolk County Human Rights Commission (County Executive).***

**LEG. LOSQUADRO:**

An appointment?

**P.O. CARACAPPA:**

It's a reappointment.

**LEG. O'LEARY:**

Motion.

**LEG. FOLEY:**

Motion.

**P.O. CARACAPPA:**

Motion by Legislator Foley ••

**LEG. MONTANO:**

Second.

**P.O. CARACAPPA:**

Second by Legislator O'Leary •• oh, O'Leary, second by Legislator Montano.  
All in favor? Opposed? Abstentions?

**MR. BARTON:**

16, two not present (Not Present: Legislators Carpenter & Caracciolo).

***2083•05 • Approving the reappointment of Michele DelMonte as a member of the Suffolk County Human Rights Commission (County Executive).***

Same motion, same second, same vote.

**MR. BARTON:**

16 (Not Present: Legislators Carpenter & Caracciolo).

**P.O. CARACAPPA:**

**Public Works & Public Transportation:**

***1874•05 • Authorizing execution of agreement by the Administrative Head of Suffolk County Sewer District No. 4 • Galleria with Jado's 2 Restaurants (SM•1427) (County Executive).***

**LEG. FOLEY:**

Motion.

**LEG. KENNEDY:**

Motion.

**P.O. CARACAPPA:**

Motion by Legislator Kennedy, second by Legislator Nowick.

All in favor? Opposed? Abstentions?

**MR. BARTON:**

16 (Not Present: Legislators Carpenter & Caracciolo).

**P.O. CARACAPPA:**

***1982, 1982A • Appropriating funds in connection with the acquisition of lands for intersection improvements on Suffolk Avenue, CR 100, Suffolk Avenue and Brentwood Road/Washington Avenue, Town of Islip (CP 5065) (County Executive).*** Motion by Legislator Montano, second by Legislator Alden. Roll call.

***(\*Roll Called by Mr. Barton • Clerk\*)***



**LEG. MONTANO:**

Yes.

**LEG. ALDEN:**

Yes.

**LEG. SCHNEIDERMAN:**

Yes.

**LEG. O'LEARY:**

Yes.

**LEG. VILORIA • FISHER:**

Yes.

**LEG. LOSQUADRO:**

Yes.

**LEG. FOLEY:**

Yes.

**LEG. LINDSAY:**

Yes.

**LEG. KENNEDY:**

Yes.

**LEG. NOWICK:**

Yes.

**LEG. BISHOP:**

(Not Present).

**LEG. MYSTAL:**

Yes.

**LEG. BINDER:**

Yes.

**LEG. TONNA:**

(Not Present).

**LEG. BISHOP:**

I'm a yes.

**MR. BARTON:**

Thank you, Mr. Bishop.

**LEG. TONNA:**

(Not Present).

**LEG. COOPER:**

Yes.

**P.O. CARACAPPA:**

Yep.

**MR. BARTON:**

15, three not present on the bond (Not Present: Legislators Carpenter, Caracciolo & Tonna).

**P.O. CARACAPPA:**

Same motion, same second, same vote on the companion resolution.

***2068•05 • Authorizing the execution of an agreement between the County and the New York State Department of Transportation to receive the 80% Federal share (\$160,000) of the cost of the second phase of the Suffolk County Transit Marketing Program (County Executive).*** Motion by myself, second by Legislator Binder. All in favor? Opposed? Abstentions?

**MR. BARTON:**

15 (Not Present: Legislators Carpenter, Caracciolo & Tonna).

**P.O. CARACAPPA:**

***2073•05 • Authorizing the filing of an application with the United States Department of Transportation for a grant in the total amount of \$485,439 for a Mass Federal Transit Act and authorizing the County Executive to execute grant agreements pertaining to said application (County Executive).*** Motion by Legislator Binder, second by Legislator Foley. All in favor? Opposed? Abstentions?

**MR. BARTON:**

15 (Not Present: Legislators Carpenter, Caracciolo & Tonna).

**P.O. CARACAPPA:**

***2074•05 • Authorizing the filing of an application with the United States Department of Transportation for a grant in the total amount of \$485,439 for a Mass Federal Transit Act and authorizing the County Executive to execute grant agreements pertaining to said application (County Executive).***

**LEG. KENNEDY:**

Motion.

**P.O. CARACAPPA:**

Motion by Legislator Kennedy, second by Legislator Nowick.  
All in favor? Opposed? Abstentions?

**MR. BARTON:**

15 (Not Present: Legislators Carpenter, Caracciolo & Tonna).

**P.O. CARACAPPA:**

***2077•05 • Approving the reappointment of Robert N. Falk as a member of the Suffolk County Commercial, Industrial, Residential Septic Tank/Sewer Drain Treatment, Bacteria Additives and Maintenance Board (County Executive).***

**LEG. KENNEDY:**

Motion.

**LEG. VILORIA•FISHER:**

Second.

**P.O. CARACAPPA:**

Motion by Legislator Kennedy, second by Legislator Vilorina•Fisher.  
All in favor? Opposed? Abstentions?

**MR. BARTON:**

15 (Not Present: Legislators Carpenter, Caracciolo & Tonna).

**P.O. CARACAPPA:**

***2078•05 • Approving the appointment of Richard L. Crescenzo as a member of the Suffolk County Commercial, Industrial, Residential Septic Tank/Sewer Drain Treatment, Bacteria Additives and Maintenance Board (County Executive).*** Same motion, same second, same vote.

**MR. BARTON:**

15 (Not Present: Legislators Carpenter, Caracciolo & Tonna).

**P.O. CARACAPPA:**

***2079•05 • Approving the appointment of Kenneth Daly as a member of the Suffolk County Commercial, Industrial, Residential Septic Tank/Sewer Drain Treatment, Bacteria Additives and Maintenance Board (County Executive).*** Same motion, same second, same vote.

**MR. BARTON:**

15 (Not Present: Legislators Carpenter, Caracciolo & Tonna).

**P.O. CARACAPPA:**

***2080•05 • Approving the appointment of C.W. (Judge) Coleman as a member of the Suffolk County Commercial, Industrial, Residential Septic Tank/Sewer Drain Treatment, Bacteria Additives and Maintenance Board (County Executive).*** Same motion, same second,

same vote.

**MR. BARTON:**

15 (Not Present: Legislators Carpenter, Caracciolo & Tonna).

**P.O. CARACAPPA:**

***2081 • 05 • Approving the reappointment of Joseph H. Baier as a member of the Suffolk County Commercial, Industrial, Residential Septic Tank/Sewer Drain Treatment, Bacteria Additives and Maintenance Board (County Executive).*** Same motion, same second, same vote.

**MR. BARTON:**

15 (Not Present: Legislators Carpenter, Caracciolo & Tonna).

**P.O. CARACAPPA:**

***2087, 2087A • Amending the 2005 Capital Budget and Program and appropriating \$50,000 in funds for planning for traffic calming measures at Patchogue • Holbrook Road, north of the LIE and south of Portion Road (CP 3302).*** Motion by myself, second by Legislator Foley. Roll call.

***(\*Roll Called by Mr. Barton • Clerk\*)***

**P.O. CARACAPPA:**

Yes.

**LEG. FOLEY:**

Yes.

**LEG. SCHNEIDERMAN:**

Yes.

**LEG. O'LEARY:**

Yes.

**LEG. VILORIA • FISHER:**

Yes.

**LEG. LOSQUADRO:**

Yes.

**LEG. LINDSAY:**

Yes.

**LEG. MONTANO:**

Yes.

**LEG. ALDEN:**

Yes.

**LEG. KENNEDY:**

Yes.

**LEG. NOWICK:**

Yes.

**LEG. BISHOP:**

(Not Present).

**LEG. MYSTAL:**

Yes.

**LEG. BINDER:**

Yes.

**LEG. TONNA:**

(Not Present).

**LEG. COOPER:**

Yes.

**LEG. BISHOP:**

Yes.

**MR. BARTON:**

15, three not present on the bond (Not Present: Legislators Carpenter, Caracciolo & Tonna).

**P.O. CARACAPPA:**

Same motion, same second, same vote on the companion resolution.

**LEG. FOLEY:**

Cosponsor, please, Henry.

**P.O. CARACAPPA:**

***2097•05 • Appointing members to the Suffolk County Transportation Advisory Board (Binder).*** Motion by Legislator Binder, second by Legislator Foley. All in favor? Opposed? Abstentions?

**MR. BARTON:**

15 (Not Present: Legislators Carpenter, Caracciolo & Tonna).

**P.O. CARACAPPA:**

***2111•05 • A resolution calling for a public hearing for the purpose of considering the proposed increase and improvements of sewer systems facilities for Sewer District No. 7 • Medford (CP 8150) (County Executive).*** Motion by Legislator Foley, second by Legislator O'Leary. All in favor? Opposed? Abstentions?

**MR. BARTON:**

15 (Not Present: Legislators Carpenter, Caracciolo & Tonna).

**P.O. CARACAPPA:**

***2112•05 • Transferring Assessment Stabilization Reserve Funds to the Capital Fund amending the 2005 Operating Budget, amending the 2005 Capital Budget and Program and appropriating funds in connection with the design of improvements to Suffolk County Sewer District No. 18 • Hauppauge Industrial (CP 8126) (County Executive).*** Motion by Legislator Kennedy, second by Legislator Nowick.

All in favor? Opposed? Abstentions?

**MR. BARTON:**

15 (Not Present: Legislators Carpenter, Caracciolo & Tonna).

**P.O. CARACAPPA:**

***2113, 2113A • Amending the 2005 Capital Budget and Program and appropriating funds in connection with intersection improvements on CR 16, Portion Road @ Hans Boulevard, Town of Brookhaven (CP 3301)(County Executive).*** Motion by myself, second by Legislator Foley.

Roll call.

***(\*Roll Called by Mr. Barton • Clerk\*)***

**P.O. CARACAPPA:**

Yes.

**LEG. FOLEY:**

Yes.

**LEG. SCHNEIDERMAN:**

Yes.

**LEG. O'LEARY:**

Yes.

**LEG. VILORIA • FISHER:**

Yes.

**LEG. LOSQUADRO:**

Yes.

**LEG. LINDSAY:**

Yes.

**LEG. MONTANO:**

Yes.



**LEG. ALDEN:**

Yes.

**LEG. KENNEDY:**

Yes.

**LEG. NOWICK:**

Yes.

**LEG. BISHOP:**

Yes.

**LEG. MYSTAL:**

Yes.

**LEG. BINDER:**

Yes.

**LEG. TONNA:**

(Not Present).

**LEG. COOPER:**

Yes.

**MR. BARTON:**

15, three not present on the bond (Not Present: Legislators Carpenter, Caracciolo & Tonna).

**P.O. CARACAPPA:**

Same motion, same second, same vote on the companion resolution.

***2114•05 • Amending the 2005 Capital Budget and Program and appropriating funds in connection with the County share for participation in the reconstruction of bridge on CR 83, North Ocean Avenue, over the Long Island Expressway, Town of Brookhaven (CP***

**5849) (County Executive).** Motion by Legislator Foley, second by myself.  
All in favor? Opposed? Abstentions?

**MR. BARTON:**

15 (Not Present: Legislators Carpenter, Caracciolo & Tonna).

**P.O. CARACAPPA:**

**2115•05 • A resolution calling for a public hearing for the purpose of considering the proposed increase and improvement of facilities for Sewer District No. 22 • Hauppauge Municipal (CP 8171) (County Executive).** Motion by Legislator Kennedy, second by Legislator Nowick.  
All in favor? Opposed? Abstentions?

**MR. BARTON:**

15 (Not Present: Legislators Carpenter, Caracciolo & Tonna).

**P.O. CARACAPPA:**

**2116•05 • Transferring Assessment Stabilization Reserve Funds to the Capital Fund, amending the 2005 Operating Budget, amending the 2005 Capital Budget and Program and appropriating additional funds for reconstruction of Suffolk County Sewer District No. 1 • Port Jefferson (CP 8169) (County Executive).** Motion by Legislator Fisher, second by Legislator Losquadro. All in favor? Opposed? Abstentions?

**MR. BARTON:**

15 (Not Present: Legislators Carpenter, Caracciolo & Tonna).

**P.O. CARACAPPA:**

**2117, 2117A • Appropriating funds in connection with the rehabilitation of parking lots, drives and curbs at County facilities (CP 1678) (County Executive).**

**LEG. O'LEARY:**

Motion.

**P.O. CARACAPPA:**

Motion by Legislator O'Leary, second by Legislator Binder. Roll call.

***(\*Roll Called by Mr. Barton • Clerk\*)***

**LEG. O'LEARY:**

Yes.

**LEG. BINDER:**

Yes.

**LEG. SCHNEIDERMAN:**

Yes.

**LEG. VILORIA • FISHER:**

Yes.

**LEG. LOSQUADRO:**

Yes.

**LEG. FOLEY:**

Yes.

**LEG. LINDSAY:**

Yes.

**LEG. MONTANO:**

Yes.

**LEG. ALDEN:**

Yes.

**LEG. KENNEDY:**

Yes.

**LEG. NOWICK:**

Yes.

**LEG. BISHOP:**

Yes.

**LEG. MYSTAL:**

Yes.

**LEG. TONNA:**

(Not Present).

**LEG. COOPER:**

Yes.

**P.O. CARACAPPA:**

Yes.

**MR. BARTON:**

15 on the bond (Not Present: Legislators Carpenter, Caracciolo & Tonna).

**P.O. CARACAPPA:**

Same motion, same second, same vote on the companion resolution.

***2118, 2118A • Appropriating funds in connection with the replacement of Public Works fleet maintenance equipment (CP 1769) (County Executive).*** Motion by Legislator Binder, second by myself. Roll call.

***(\* Roll Called by Mr. Barton • Clerk\*)***

**LEG. BINDER:**

Yes.

**P.O. CARACAPPA:**

Yes.

**LEG. SCHNEIDERMAN:**

Yes.

**LEG. O'LEARY:**

Yes.

**LEG. VILORIA • FISHER:**

Yes.

**LEG. LOSQUADRO:**

Yes.

**LEG. FOLEY:**

Yes.

**LEG. LINDSAY:**

Yes.

**LEG. MONTANO:**

Yes.

**LEG. ALDEN:**

Yes.

**LEG. KENNEDY:**

Yes.

**LEG. NOWICK:**

Yes.

**LEG. BISHOP:**

Yes.

**LEG. MYSTAL:**

Yes.

**LEG. TONNA:**

(Not present).

**LEG. COOPER:**

Yes.

**MR. BARTON:**

15, three not present (Not Present: Legislators Carpenter, Caracciolo & Tonna).

**P.O. CARACAPPA:**

Same motion, same second, same vote on the companion resolution.

**MR. BARTON:**

I'm sorry, 16•2.

**P.O. CARACAPPA:**

Thank you. **2119, 2119A ••**

**MR. BARTON:**

15•3 (Not Present: Legislators Carpenter, Caracciolo & Tonna).

**P.O. CARACAPPA:**

**•• Appropriating funds in connection with the purchase of highway maintenance equipment (CP 5047) (County Executive).** Motion by Legislator Binder, second by Legislator O'Leary. Roll call.

**MR. BARTON:**

Mr. Chairman, I'm sorry. Who made the motion?

**P.O. CARACAPPA:**

Legislator Binder, the Chairman, and then Legislator O'Leary.

**MR. BARTON:**

Thank you.

**(\*Roll Called by Mr. Barton • Clerk\*)**

**LEG. BINDER:**

Yes.

**LEG. O'LEARY:**

Yes.

**LEG. SCHNEIDERMAN:**

Yes.

**LEG. VILORIA • FISHER:**

Yes.

**LEG. LOSQUADRO:**

Yes.

**LEG. FOLEY:**

Yes.

**LEG. LINDSAY:**

Yes.

**LEG. MONTANO:**

Yes.

**LEG. ALDEN:**

Yes.

**LEG. KENNEDY:**

Yes.

**LEG. NOWICK:**

Yes.

**LEG. BISHOP:**

Yes.

**LEG. MYSTAL:**

Yes.

**LEG. COOPER:**

Yes.

**P.O. CARACAPPA:**

Yes.

**MR. BARTON:**

15 on the bond, three on the bond •• not present, three not present. (Not Present: Legislators Carpenter, Caracciolo & Tonna).

**P.O. CARACAPPA:**

Same motion, same second, same vote on the companion resolution.

***2120, 2120A • Authorizing the purchase of up to six paratransit vans and related equipment and accepting and appropriating Federal Aid (80%), State Aid (10%) and County funds 910%) in connection with this purchase (CP 5648) (County Executive).*** Motion by Legislator Foley, second by Legislator Binder. Roll call.

***(\*Roll Called by Mr. Barton • Clerk\*)***

**LEG. FOLEY:**

Yes.

**LEG. BINDER:**

Yes.

**LEG. SCHNEIDERMAN:**

Yes.

**LEG. O'LEARY:**

Yes.

**LEG. VILORIA • FISHER:**



Yes.

**LEG. LOSQUADRO:**

Yes.

**LEG. LINDSAY:**

Yes.

**LEG. MONTANO:**

Yes.

**LEG. ALDEN:**

Yes.

**LEG. KENNEDY:**

Yes.

**LEG. NOWICK:**

Yes.

**LEG. BISHOP:**

Yes.

**LEG. MYSTAL:**

Yes.

**LEG. COOPER:**

Yes.

**P.O. CARACAPPA:**

Yep.

**MR. BARTON:**

15, three not present (Not Present: Legislators Carpenter, Caracciolo & Tonna).

**P.O. CARACAPPA:**

Same motion, same second, same vote on the companion resolution.

***2145 has already been done***, and I thank all of you earlier for that.

***2146, 2146A • Amending the 2005 Capital Budget and Program and appropriating funds in connection with the final design plans for improvements to CR 36, South County Road (CP 5541.110)(Foley).***

Motion by Legislator Foley, second by Legislator O'Leary.

Roll call.

***(\*Roll Called by Mr. Barton • Clerk\*)***

**LEG. FOLEY:**

Yes.

**LEG. O'LEARY:**

Yes.

**LEG. SCHNEIDERMAN:**

Yes.

**LEG. VILORIA • FISHER:**

Yes.

**LEG. LOSQUADRO:**

Yes.

**LEG. LINDSAY:**

Yes.

**LEG. MONTANO:**

Yes.

**LEG. ALDEN:**

Yes.

**LEG. KENNEDY:**

Yes.

**LEG. NOWICK:**

Yes.

**LEG. BISHOP:**

Yes.

**LEG. MYSTAL:**

Yes.

**LEG. BINDER:**

Yes.

**LEG. COOPER:**

Yes.

**P.O. CARACAPPA:**

Yes.

**MR. BARTON:**

15, three not present on the bond (Not Present: Legislators Carpenter, Caracciolo & Tonna).

**P.O. CARACAPPA:**

Same motion, same second, same vote on the companion resolution.

***2156, 2156A • Amending the 2005 Capital Budget and Program and appropriating \$425,000 in funds for reconstruction of sidewalks on various County roads (CP 5497).*** Motion by Legislator Lindsay, second by Legislator Foley. Roll call.

***(\*Roll Called by Mr. Barton • Clerk\*)***

**LEG. LINDSAY:**

Yes.

**LEG. FOLEY:**

Yes.

**LEG. SCHNEIDERMAN:**

Yes.

**LEG. O'LEARY:**

Yes.

**LEG. VILORIA • FISHER:**

Yes.

**LEG. LOSQUADRO:**

Yes.

**LEG. MONTANO:**

Yes.

**LEG. ALDEN:**

Yes.

**LEG. KENNEDY:**

Yes.

**LEG. NOWICK:**

Yes.

**LEG. BISHOP:**

Yes.

**LEG. BISHOP:**

Yes.

**LEG. MYSTAL:**

Yes.

**LEG. BINDER:**

Yes.

**LEG. COOPER:**

Yes.

**P.O. CARACAPPA:**

Yes.

**MR. BARTON:**

15, three not present on the bond (Not Present: Legislators Carpenter, Caracciolo & Tonna).

**P.O. CARACAPPA:**

Same motion, same second, same vote on the companion resolution.

**LEG. LINDSAY:**

Mr. Chairman, I really hate to do this but my caucus has requested a five minute break before we go further.

**P.O. CARACAPPA:**

A real five minutes?

**LEG. LINDSAY:**

A real five minutes.

**LEG. VILORIA•FISHER:**

A real five minutes.

**P.O. CARACAPPA:**

Five minute recess.

**LEG. TONNA:**

With everyone shaking heads, that means five, ten.

**P.O. CARACAPPA:**

Hey, I stuck to my ten minutes exactly before.

***[THE MEETING WAS RECESSED AT 3:28 P.M. AND RESUMED AT 3:39 P.M.]***

***[RETURN OF COURT STENOGRAPHER • LUCIA BRAATEN]***

**LEG. SCHNEIDERMAN:**

Here.

**LEG. O'LEARY:**

(Not Present).

**LEG. VILORIA • FISHER:**

Here.

**LEG. LOSQUADRO:**

(Not Present)

**LEG. FOLEY:**

Present.

**LEG. LINDSAY:**

Here.

**LEG. MONTANO:**

Here.

**LEG. ALDEN:**

Here.

**LEG. KENNEDY:**

(Not Present)

**LEG. NOWICK:**

Here.

***[Legislators Losquadro and O'Leary Entered the Auditorium]***

**LEG. BISHOP:**

(Present)

**LEG. MYSTAL:**

(Present)

**LEG. BINDER:**

Here.

**LEG. TONNA:**

Yeah, I'm here.

**LEG. COOPER:**

Here.

**D.P.O. CARPENTER:**

Here.

**P.O. CARACAPPA:**

(Present)

**MR. BARTON:**

O'Leary's not back.

**LEG. ALDEN:**

Kennedy's here.

**MR. BARTON:**

Okay.

**MR. BARTON:**

Oh, there, okay. 17, Mr. Chairman, one not present. (Not Present: Leg. Caracciolo)

**WAYS AND MEANS**

**P.O. CARACAPPA:**

We're back. Ways and Means. ***1778 (Adopting salary plans for employees who are excluded from Bargaining Units).***

**LEG. O'LEARY:**

Motion.

**P.O. CARACAPPA:**

Motion by Legislator O'Leary. Second? Who?

**LEG. LINDSAY:**

On the question.

**P.O. CARACAPPA:**

Legislator Lindsay, are you the second?

**LEG. LINDSAY:**

No, I'm not the second.

**P.O. CARACAPPA:**

No? Legislator Schneiderman. On the motion.

**LEG. LINDSAY:**

On the motion.

**P.O. CARACAPPA:**

Legislator Lindsay.

**LEG. LINDSAY:**

I was looking for Budget Review for the financial impact.

**P.O. CARACAPPA:**

They're not here, that means there is none.

**LEG. VILORIA•FISHER:**

Peter knows the answer.



**LEG. O'LEARY:**

If I may, through the Chair.

**LEG. LINDSAY:**

If Budget Review is listening, please come to the auditorium.

**P.O. CARACAPPA:**

Legislator O'Leary.

**LEG. O'LEARY:**

Through the Chair.

**P.O. CARACAPPA:**

If you could enlighten us a little bit.

**LEG. LINDSAY:**

I have a ••

**P.O. CARACAPPA:**

Microphone.

**LEG. VILORIA•FISHER:**

Turn on your mike.

**LEG. O'LEARY:**

I thought it was on. Legislator Lindsay, I do have a fiscal impact statement from BRO. Now, if you believe me ••

**LEG. VILORIA•FISHER:**

He'll sell you a used car.

**LEG. O'LEARY:**

On average, on average, starting in July of '06, for the three years for the current agreement with •• to match AME, it's an average about 600,000 a year, about 1.8 mill.

**LEG. BISHOP:**

Per employee?

**LEG. O'LEARY:**

On average, it's about 600,000 a year for the three years.

**LEG. LINDSAY:**

In total or the difference between our bill and the Exec's?

**LEG. O'LEARY:**

In total. No, that's the difference between my bill and the Exec's bill.

**LEG. LINDSAY:**

Okay.

**LEG. O'LEARY:**

Because his bill gives the 3% raises January of each year. What mine does is reinstitute the step increases effective July of '06 that were taken away from the exempts some 15 years ago. Yes, the exempts that are impacted by my bill.

**LEG. LINDSAY:**

No, but I think what he's referring to is the bonus in the first year in the Exec's bill was excluded from the College?

**LEG. O'LEARY:**

Are you talking about the retro 1925, or the steps for the ••

**LEG. LINDSAY:**

Well ••

**LEG. O'LEARY:**

I think it was the 1925 that was exempted in the Exec's bill for the college. Yes, I put that back in, the retro monies I put back in for the College officials.

**LEG. LINDSAY:**

So the difference is the retro for the College and the steps ••

**LEG. O'LEARY:**

And the steps, which ••

**LEG. LINDSAY:**

•• as of '06.

**LEG. O'LEARY:**

Which I'm told is approximately on average •• Gail is here now, BRO is here. On average, about 600,000 for the three years, about 1.7, 1.8 million.

**LEG. LINDSAY:**

Covering how many employees, Gail?

**MS. VIZZINI:**

There's about 539 exempt employees.

**LEG. O'LEARY:**

If I may, through the Chair.

**P.O. CARACAPPA:**

Yes.

**LEG. O'LEARY:**

This bill does not •• it only includes graded titles, which excludes in its entirety BOE employees who are ungraded, which reduces the impact on exempt employees to 420, I believe it is.

**MS. VIZZINI:**

Approximately.

**LEG. O'LEARY:**

Is that correct? Board of Elections is not •• they're included in the exempt raise of 3% January. However, because •• no, OTB's not included in the exempt employees. The employees at BOE who are all ungraded are not included in my step increase bill. They will •• they do not receive steps now,

nor have they ever received steps in an ungraded title.

**P.O. CARACAPPA:**

Quick question of the sponsor. Are the County Executive employees included in your bill.

**LEG. O'LEARY:**

Yes, they are.

**P.O. CARACAPPA:**

Good. I was hoping they would be.

**LEG. O'LEARY:**

No. Yeah, they are, they're included.

**D.P.O. CARPENTER:**

As it should be.

**LEG. TONNA:**

Wink, wink.

**P.O. CARACAPPA:**

As it should be, like the Deputy Presiding Officer has said.

**LEG. TONNA:**

Wink, wink, wink.

**LEG. O'LEARY:**

If the Chair wishes, I can give a summary of the history of this, but I think everyone knows it.

**LEG. TONNA:**

No. Let's just vote on it.

**P.O. CARACAPPA:**

Yeah. Legislator Lindsay.

**LEG. O'LEARY:**

I think we all know what the effect of this bill is.

**P.O. CARACAPPA:**

Legislator Lindsay, then Montano.

**LEG. LINDSAY:**

Well, I would just •• if I may, I would like to ask Mr. Zwirn if he could justify why he doesn't want a raise.

**MR. ZWIRN:**

I'm not worthy, I'm not worthy. No. That's true. Thank you.

**LEG. O'LEARY:**

We know that, but let's hear some other reason.

**MR. ZWIRN:**

My mom is back there somewhere.

**P.O. CARACAPPA:**

Yeah, first step is admittance.

**D.P.O. CARPENTER:**

We'll say the word and your soul will be healed, don't worry about it.

**P.O. CARACAPPA:**

But a lot of other people do •• are worthy in my mind, and you are, too, Ben.

**MR. ZWIRN:**

Well, thanks.

**P.O. CARACAPPA:**

Legislator Lindsay, you still have the floor.

**LEG. TONNA:**

I could feel the love. Come on, let's vote on this.

**MR. ZWIRN:**

No. I appreciate Legislator O'Leary's efforts here on behalf of a lot of us, but the County Executive put his raises in, did not include steps. One of the problems is that the •• this resolution is not funded in the 2006 budget, so it would throw it out of whack. It's about a million•nine, I think, just with the steps over the next three years. And a lot of us who •• and I don't speak for everybody, but I speak for myself, we came on board, we knew what the deal was and we were willing to live with that, and it's part of our public service. And I appreciate it. You know, I appreciate the efforts on behalf of Legislator O'Leary and members of the Legislature. But I think that •• I appreciate the opportunity to be able to serve the people of Suffolk County, as many of us do, and we're willing to live with what the County Executive has recommended to the Legislature.

**LEG. O'LEARY:**

Through the Chair.

**LEG. ALDEN:**

I have a direct ••

**P.O. CARACAPPA:**

There's a list.

**LEG. NOWICK:**

I would just ••

**LEG. O'LEARY:**

There's a list?

**P.O. CARACAPPA:**

Hold on, there's a list.

**LEG. O'LEARY:**

All right. I'll ••

**P.O. CARACAPPA:**

Legislator Montano.

**LEG. O'LEARY:**

I'll wait until the end. Let's just vote.

**D.P.O. CARPENTER:**

I think the less said the better at this point.

**P.O. CARACAPPA:**

Yeah, that's what I say.

**LEG. MONTANO:**

Just directed to Counsel. For the record, I have a younger half brother who works at the Board of Elections.

**D.P.O. CARPENTER:**

They're exempt.

**P.O. CARACAPPA:**

They're exempt.

**MR. MONTANO:**

And I just want to make sure that there is no conflict.

**LEG. VILORIA • FISHER:**

They're not included in this.

**D.P.O. CARPENTER:**

They're not included.

**MR. MONTANO:**

They're not included, I heard.

**P.O. CARACAPPA:**

No.

**LEG. MONTANO:**

So I'm just putting that on the record. So there's no conflict, right?

**MS. KNAPP:**

Just so the record is complete, the Board of Elections will get the 3% raise, whether it's in •• or whatever it is, they'll be getting the same raises as everybody else, they just will not get the steps, which are included in Legislator O'Leary's. But, just to make the record complete, State Law does not prohibit someone in Legislator Montano's position from voting. However, the opinions of the State Attorney General often refer •• always refer anybody in the position of voting on a relative's raise to the local Ethics Code. And, interestingly enough, our local Ethics Code defines family rather extensively down to stepbrother, but it doesn't include half brother, and I believe that's the relation that Legislator Montano has.

**LEG. TONNA:**

Does his count •• does his vote count for a half?

**P.O. CARACAPPA:**

Steps for the stepbrother.

**MS. KNAPP:**

So, for that reason if he wishes to vote, he could.

**LEG. TONNA:**

Does anybody have an evil stepmother that they're voting for?

**P.O. CARACAPPA:**

Legislator Alden.

**LEG. ALDEN:**

Ben, I'm just going to point out an option that you have, and I actually took this option a number of years ago when the Legislature voted itself a raise. I chose not take it, so anybody that's over there that feels the same as you, if you didn't really want to take the raise, you can actually opt out of it. So I would suggest, you know, you pass the word around to tell people that that's a viable option for a lot of you.



**MR. ZWIRN:**

I've done it in the past.

**LEG. TONNA:**

So has Levy.

**P.O. CARACAPPA:**

Before we vote, I just want to put on the record, I do have to abstain based on it would be a direct benefit to my household. So I will be abstaining, but I certainly support the County employees that so deservingly should get this and deserve it. So with that, roll call.

**(Roll Called by Mr. Barton, Clerk)**

**LEG. O'LEARY:**

Emphatically, yes.

**LEG. SCHNEIDERMAN:**

Yes.

**LEG. VILORIA • FISHER:**

Yes.

**LEG. LOSQUADRO:**

Yes.

**LEG. FOLEY:**

Yes.

**LEG. LINDSAY:**

Yes.

**LEG. MONTANO:**

Yes.

**LEG. ALDEN:**

Yes.

**LEG. KENNEDY:**

Yes.

**LEG. NOWICK:**

Yes.

**LEG. BISHOP:**

Yes.

**LEG. MYSTAL:**

Yes.

**LEG. BINDER:**

Yes.

**LEG. TONNA:**

Yep.

**LEG. COOPER:**

Yes.

**D.P.O. CARPENTER:**

Yes.

**P.O. CARACAPPA:**

Abstention.

**LEG. ALDEN:**

I feel a little intimidated.

**MR. BARTON:**

16, 1 abstention, 1 not present. (Not Present: Leg. Caracciolo)

**MS. BURKHARDT:**

Thank you.

**P.O. CARACAPPA:**

I think it was stated by one of my colleagues, it's the most intently the Aides have listened to debate in quite some time.

**LEG. MYSTAL:**

Aides would not take my calls.

**MS. BURKHARDT:**

Thank you.

**P.O. CARACAPPA:**

Okay, that's approved.

***(Applause)***

***2103 (Amending the Suffolk County Classification and Salary Plan and the 2005 Operating Budget in connection with a new position title in the Department of Public Works (Assistant Mechanical Engineer Trainee). Is there a motion?***

**LEG. FOLEY:**

Explanation.

**P.O. CARACAPPA:**

Is there a motion?

**LEG. FOLEY:**

Motion.

**P.O. CARACAPPA:**

Motion by Legislator Foley.

**LEG. ALDEN:**

I'll second it.

**P.O. CARACAPPA:**

Second by Legislator Alden. All in favor? Opposed? Abstentions?

**MR. BARTON:**

17. (Not Present: Leg. Caracciolo)

**P.O. CARACAPPA:**

**2134.**

**LEG. ALDEN:**

Skip over it, he just stepped out.

**P.O. CARACAPPA:**

Skip over that one. **2160 (Authorizing transfer of four (4) surplus County computers to F.E.G.S. Health and Human Services System).**

Motion by myself, second by Legislator Carpenter. All in favor? Opposed? Abstentions? We have to go back we. We were waiting on Legislator Kennedy. Could you get him? Oh, he's right here. John.

**MR. BARTON:**

2160, the vote is ••

**P.O. CARACAPPA:**

We have two of your bills to deal with.

**MR. BARTON:**

The vote is 17. (Not Present: Leg. Caracciolo)

**LEG. KENNEDY:**

That would be wonderful. Thank you.

**P.O. CARACAPPA:**

**2134 (To impose a moratorium on fee increases for Title Examiners).**

**LEG. KENNEDY:**

2134.

**P.O. CARACAPPA:**

It's a moratorium on Title Examiners.

**LEG. KENNEDY:**

Motion to table this.

**LEG. ALDEN:**

Second.

**P.O. CARACAPPA:**

Motion to table 2134. And also ••

**LEG. O'LEARY:**

Through the Chair.

**LEG. FOLEY:**

Another Kennedy bill. Is there an earlier one?

**P.O. CARACAPPA:**

On this bill, Legislator O'Leary?

**LEG. O'LEARY:**

No, on something else.

**P.O. CARACAPPA:**

One more bill on the agenda, back to Page 9.

**MR. BARTON:**

Mr. Chairman, I need a second on the motion to table 2134.

**LEG. ALDEN:**

I second it.

**MR. BARTON:**

Thank you, Mr. Alden. 17. (Not Present: Leg. Caracciolo).

**P.O. CARACAPPA:**

Page 9, ***2101 (Dedicating certain lands now owned by the County of***

***Suffolk to the County Nature Preserve pursuant to Article I of the Suffolk County Charter and Section 406 of the New York Real Property Tax Law (Lilly Pond Park and Nature Preserve, Town of Smithtown) and amending the 2005 Operating Budget).*** What's your pleasure, Legislator Kennedy?

**LEG. KENNEDY:**

Motion to approve. I believe that the issues of the Exec have been resolved.

**P.O. CARACAPPA:**

All good, Ben?

**MR. ZWIRN:**

That's correct, yes.

**P.O. CARACAPPA:**

Thank you. Motion to approve 2101.

**LEG. VILORIA•FISHER:**

Say the number again, please.

**P.O. CARACAPPA:**

2101. This is dedicating certain lands now owned by Suffolk County Nature Preserve. Everything's been resolved. Motion by Legislator Kennedy, second by Legislator Nowick. All in favor? Opposed? Abstentions.

**MR. BARTON:**

17. (Not Present: Leg. Caracciolo)

**P.O. CARACAPPA:**

Sense resolutions.

**LEG. O'LEARY:**

Through the Chair, before we get to Sense.

**P.O. CARACAPPA:**

Legislator O'Leary.

**LEG. O'LEARY:**

Yes. I'd like the body to consider •• to reconsider *2044 (Amending the 2005 Operating Budget and transferring funds for various agencies)*.

**LEG. VILORIA•FISHER:**

What page is it, Peter? Well, what department, what committee is it?

**P.O. CARACAPPA:**

These are contract agencies.

**LEG. O'LEARY:**

Budget and Finance.

**P.O. CARACAPPA:**

Second by Legislator Losquadro. We had tabled it earlier because the ••

**LEG. VILORIA•FISHER:**

The sponsor wasn't here.

**P.O. CARACAPPA:**

The sponsor wasn't here.

**LEG. VILORIA•FISHER:**

What committee?

**LEG. O'LEARY:**

Budget and Finance.

**LEG. ALDEN:**

Page 9.

**LEG. O'LEARY:**

Page 9. Even though the sponsor wasn't here, I have a request from his office through his Aide that we reconsider this.

**D.P.O. CARPENTER:**

Motion to approve.

**LEG. O'LEARY:**

We have to reconsider.

**P.O. CARACAPPA:**

We tabled it.

**LEG. BINDER:**

You're reconsidering the table.

**P.O. CARACAPPA:**

These are the last ••

**LEG. LINDSAY:**

Marine Helicopter Squadron.

**P.O. CARACAPPA:**

Basically.

**D.P.O. CARPENTER:**

So we need a motion to reconsider?

**P.O. CARACAPPA:**

There is a motion and a second. All in favor? Opposed? Abstentions?

**MR. BARTON:**

17. (Not Present: Leg. Caracciolo)

**LEG. O'LEARY:**

Motion to approve.

**LEG. LOSQUADRO:**

Second.

**P.O. CARACAPPA:**

This is budgeted items in the Year 2005 that we all received that have not



been appropriated just yet by a certain Legislator.

**LEG. LINDSAY:**

On that issue, though.

**P.O. CARACAPPA:**

Legislator Lindsay.

**LEG. LINDSAY:**

Yeah.

**P.O. CARACAPPA:**

Wait. Let me get the motion first on the •• motion by Legislator O'Leary, second by Legislator Losquadro, to approve. On the motion, Legislator Lindsay.

**LEG. LINDSAY:**

My question is the same basic question every time we did this all year long. Is somebody double•dipping here. Is he ••

**D.P.O. CARPENTER:**

No. This was raised in •• if I could respond.

**P.O. CARACAPPA:**

If you want to.

**LEG. LINDSAY:**

Well, maybe Budget Review ••

**D.P.O. CARPENTER:**

All right.

**LEG. LINDSAY:**

•• if you don't mind. Gail, do you know?

**MS. VIZZINI:**

Yeah. This is the original monies that were designated in omnibus. If you

recall, some of it was in the Marine Helicopter Squadron. There was a resolution that transferred 171,000 into the Legislature's 477 Account. What this resolution does is transfer from the Legislature's 477 Account into specific agencies, but it is the same original allocation.

**LEG. LINDSAY:**

The marine helicopter actually is getting 43,000?

**MS. VIZZINI:**

Yes.

**LEG. LINDSAY:**

That's unique.

**LEG. ALDEN:**

That's a good thing.

**MR. ZWIRN:**

Three words, Marine Helicopter Squadron.

**LEG. VILORIA • FISHER:**

What were the three words, Ben?

**MR. ZWIRN:**

Marine Helicopter Squadron. What more can you say? This is about •• they overdrew the account, I think. Wasn't this putting money back in, if it was like \$300,000 in there originally?

**MS. VIZZINI:**

No. The account was never withdrawn, it was •• we didn't •• the Budget Office didn't recognize that it was budgeted in two funds, the General Fund and the Airport Fund. So, had •• you know, if we added the two funds together, there would have been no •• it wasn't overdrawn, because you had to add the two funds together.

**MR. ZWIRN:**

But this money is coming back into the Marine Helicopter Squadron.

**MS. VIZZINI:**

But the Marine Helicopter Squadron is a bona fide organization and ••

**MR. ZWIRN:**

Are they getting any of this money?

**MS. VIZZINI:**

Yeah, forty•three•eight ••

**P.O. CARACAPPA:**

Forty•three•eight.

**MS. VIZZINI:**

•• as Legislator Lindsay pointed out.

**MR. ZWIRN:**

Thank you.

**P.O. CARACAPPA:**

There's a motion and second. All in favor?

**LEG. ALDEN:**

Semper fi.

**P.O. CARACAPPA:**

Opposed?

**LEG. LINDSAY:**

Voodoo economics.

**P.O. CARACAPPA:**

Abstentions?

**LEG. VILORIA•FISHER:**

Voodoo economics is right.

**MR. BARTON:**

16, 2 not present. (Not Present: Legs. Caracciolo and Tonna)

**P.O. CARACAPPA:**

Or Caracciolo cash.

**SENSE RESOLUTIONS**

Senses. ***Sense 53 (Sense of the Legislature resolution requesting Suffolk County towns to safeguard property rights when exercising the power of eminent domain).*** Legislator Binder.

**LEG. BINDER:**

Table, please.

**P.O. CARACAPPA:**

Motion to table, second by myself. All in favor? Opposed? Abstentions?

**MR. BARTON:**

16. (Not Present: Legs. Caracciolo and Tonna)

**P.O. CARACAPPA:**

***Sense 65 (Sense of the Legislature resolution in support of repowering the Port Jefferson Power Plant).*** Legislator Vilorio•Fisher •  
•

**LEG. FOLEY:**

Second.

**P.O. CARACAPPA:**

Is that a motion to approve?

**LEG. VILORIA•FISHER:**

Yes.

**P.O. CARACAPPA:**

Second by Legislator Foley. All in favor? Opposed? Abstentions?

**MR. BARTON:**

16. (Not Present: Legs. Caracciolo and Tonna)

**P.O. CARACAPPA:**

***Sense 68 (Sense of the Legislature resolution requesting that the New York State Worker's Compensation Board give priority status to claims by Ground Zero workers).*** Motion by Legislator Lindsay.

**D.P.O. CARPENTER:**

Second.

**P.O. CARACAPPA:**

Second by Legislator Carpenter. All in favor? Opposed? Abstentions?

**MR. BARTON:**

16. (Not Present: Legs. Caracciolo and Tonna)

**P.O. CARACAPPA:**

***Sense 69 (Memorializing resolution in support of the Federal ALS Registry Act of 2005 (Senate Bill S.1353)).*** Motion by ••

**LEG. VILORIA•FISHER:**

Motion.

**D.P.O. CARPENTER:**

What is this?

**P.O. CARACAPPA:**

ALS Registry Act. Motion by Legislator Viloría•Fisher.

**LEG. FOLEY:**

Second.

**P.O. CARACAPPA:**

Second by Legislator Foley. All in favor? Opposed? Is this the Lou Gehrig's

ALS?

**LEG. VILORIA•FISHER:**

Yes, Lou Gehrig's.

**P.O. CARACAPPA:**

Okay. All in favor? Opposed? Abstentions?

**MR. BARTON:**

16. (Not Present: Legs. Caracciolo and Tonna)

**P.O. CARACAPPA:**

***Sense 72 (Sense of the Legislature resolution in opposition to amendment of the Real Property Tax Law and Real Property Law).***

Motion by Legislator Losquadro, second by Legislator Foley. All in favor?

**LEG. ALDEN:**

Just a quick explanation.

**P.O. CARACAPPA:**

On the motion, Legislator Alden.

**LEG. LOSQUADRO:**

Through the Chair. This is in opposition to bills in the State Legislature that would reclassify condominiums as single•family homes, thus significantly increasing their property tax. Obviously, this would be a detriment, especially to seniors on Long Island, many of who for the planned retirement communities are classified as condominiums.

**LEG. ALDEN:**

Okay.

**LEG. LINDSAY:**

Second. You got a second to it?

**P.O. CARACAPPA:**

Yeah. All in favor? Opposed?

**LEG. LINDSAY:**

Put me down as a cosponsor.

**P.O. CARACAPPA:**

Abstentions? ***Sense 73.***

**MR. BARTON:**

16. (Not Present: Legs. Caracciolo and Tonna)

**P.O. CARACAPPA:**

***(Sense of the Legislature resolution requesting the Federal government to institute an investigation into gasoline prices)***. Motion by myself.

**LEG. ALDEN:**

Second.

**P.O. CARACAPPA:**

Second by Legislator Alden. All in favor? Opposed? Abstentions?

**LEG. ALDEN:**

Henry, cosponsor.

**P.O. CARACAPPA:**

***Sense 74.***

**MR. BARTON:**

16. (Not Present: Legs. Caracciolo and Tonna)

**P.O. CARACAPPA:**

***(Sense 74 • Sense of the Legislature resolution requesting State of New York to amend the Education Law to require that bus stops not be located near the residences of sex offenders)***. Motion by myself, second by Legislator O'Leary.

**LEG. FOLEY:**

School bus stops?

**P.O. CARACAPPA:**

Yeah, school bus stops. All in favor? Opposed? Abstentions?

**MR. BARTON:**

16. (Not Present: Legs. Caracciolo and Tonna)

**LEG. ALDEN:**

Cosponsor, Henry.

**P.O. CARACAPPA:**

CN's, red packet.

**LEG. SCHNEIDERMAN:**

Mr. Presiding Officer, can we do the two bills that were discharged?

**P.O. CARACAPPA:**

It's been an hour?

**LEG. SCHNEIDERMAN:**

It's been an hour, yes.

**LEG. VILORIA•FISHER:**

Yes.

**P.O. CARACAPPA:**

3:06. CN's. 2195. This is your red packet. ***2195 • Accepting and appropriating 100% reimbursable funds for the new Long Term Care Insurance Education and Outreach Program • •***

**LEG. ALDEN:**

Motion.

**P.O. CARACAPPA:**

***• • Office of the Aging.*** All in favor • • motion by Legislator Alden, second by Legislator Viloria•Fisher. All in favor? Opposed? Abstentions?



**MR. BARTON:**

16. (Not Present: Legs. Caracciolo and Tonna)

**P.O. CARACAPPA:**

It's approved.

**P.O. CARACAPPA:**

***2200 • Accepting and appropriating 90% reimbursable supplemental funds for the expanded In • Home Services for the Elderly Program.***

**LEG. ALDEN:**

Motion.

**LEG. KENNEDY:**

Motion.

**P.O. CARACAPPA:**

Motion by Legislator Kennedy, second by Legislator Alden. All in favor?  
Opposed? Abstentions?

**LEG. MYSTAL:**

Henry, co.

**MR. BARTON:**

16, 2 not present. (Not Present: Legs. Caracciolo and Tonna)

**P.O. CARACAPPA:**

***2286, 86A • Amending the 2005 Capital Budget and Program and appropriating funds in connection with the restoration of Smith Point County Park (CP 7162).***

**LEG. FOLEY:**

Motion, Mr. Chairman.

**LEG. O'LEARY:**

Second.

**P.O. CARACAPPA:**

In which the Commissioner had spoke about it, our Deputy Commissioner spoke about earlier. Motion by Legislator Foley, second by Legislator O'Leary. Roll call.

**MR. BARTON:**

On the bond.

**(Roll Called by Mr. Barton, Clerk)**

**LEG. FOLEY:**

Yes.

**LEG. O'LEARY:**

Yes.

**LEG. SCHNEIDERMAN:**

Yes.

**LEG. VILORIA • FISHER:**

Yes.

**LEG. LOSQUADRO:**

Yes.

**LEG. LINDSAY:**

Yes.

**LEG. MONTANO:**

Yes.

**LEG. ALDEN:**

Yes.

**LEG. KENNEDY:**

Yes.

**LEG. NOWICK:**

Yes.

**LEG. BISHOP:**

Yes.

**LEG. MYSTAL:**

Yes.

**LEG. BINDER:**

Yes.

**LEG. TONNA:**

(Not Present)

**LEG. COOPER:**

Yes.

**D.P.O. CARPENTER:**

Yes.

**P.O. CARACAPPA:**

Yes.

**MR. BARTON:**

16, 2 not present on the bond. (Not Present: Legs. Caracciolo and Tonna)

**P.O. CARACAPPA:**

Same motion, same second, same vote on the bond. ***2325 • Accepting and appropriating amendment to the College Budget for a grant award from the State University of New York for a Bridge Program 2005 100% reimbursed (by Federal Funds at Suffolk County Community College).*** Motion by Legislator Carpenter, second by Legislator Losquadro. All in favor? Opposed? Abstentions?

**MR. BARTON:**

16. (Not Present: Legs. Caracciolo and Tonna)

**P.O. CARACAPPA:**

Late•starters. I make a motion, second by Legislator Lindsay, to waive the rules and lay on the table the following late•starters: 2322, which will go to Economic Development; 2323, which will go to EPA; 2324, which will go to EPA; 2326 will go to Public Works; 2327, go to Public Works; 2328, go to EPA. 2329, go to Economic Development. Oh, I'm sorry, 2327 is going to Parks. 2329 is going to Economic Development. 2330 is going to Economic Development. And also setting the public hearing for that one for the General Meeting on December 6th in Riverhead at 2:30 P.M. All in favor? Opposed? Abstentions?

**MR. BARTON:**

16. (Not Present: Legs. Caracciolo and Tonna)

**P.O. CARACAPPA:**

Those are all laid on the table.

**LEG. SCHNEIDERMAN:**

Mr. Presiding Officer, motion to approve 2123.

**LEG. VILORIA•FISHER:**

Second.

**P.O. CARACAPPA:**

Earlier there was a discharge for 2123 and 2124 out of Legislator Schneiderman's committee, Affordable Housing. Motion on **2123** *(Authorizing the sale of County•owned real property pursuant to Section 72•h of the General Municipal Law to the Town of Riverhead for affordable housing purposes)*, by Legislator Schneiderman.

**LEG. VILORIA•FISHER:**

Second.

**P.O. CARACAPPA:**

This is a 72•h. Second by Legislator Vilorio•Fisher. All in favor? Opposed? Abstentions.

**MR. BARTON:**

16. (Not Present: Legs. Caracciolo and Tonna)

**P.O. CARACAPPA:**

***2124 (Authorizing the sale of County•owned real property pursuant to Section 72•h of the General Municipal Law to the Town of Riverhead for affordable housing purposes).*** Same motion, same second, same vote.

**MR. BARTON:**

16. (Not Present: Legs. Caracciolo and Tonna)

**P.O. CARACAPPA:**

Ladies and Gentlemen, we are photocopying currently the tax levies based on our actions this morning. If we don't deal with these items today, we'd have to call a special meeting to approve them. They will be ready in between 10 to 20 minutes, if not less, so we'll recess •• I'd ask everyone to stay around until we're •• they're ready, and we'll recess until they're •• I don't want to give a specific time. We'll just recess indefinitely, but count on about 20 minutes, if not, maybe 15.

***[THE MEETING WAS RECESSED AT 4:05 P.M. AND RESUMED AT 5:15 P.M.]***

**P.O. CARACAPPA:**

Roll call.

**(Roll Called by Mr. Barton, Clerk)**

**LEG. SCHNEIDERMAN:**

(Not Present)

**LEG. O'LEARY:**

Here.

**LEG. VILORIA • FISHER:**

Here.

**LEG. LOSQUADRO:**

Present.

**LEG. FOLEY:**

Present.

**LEG. LINDSAY:**

Yes.

**LEG. MONTANO:**

Here.

**LEG. ALDEN:**

Here.

**LEG. KENNEDY:**

Here.

**LEG. NOWICK:**

Here.

**LEG. BISHOP:**

Here.

**LEG. MYSTAL:**

Here.

**LEG. BINDER:**

Here.

**LEG. TONNA:**

(Not Present)

**LEG. COOPER:**

Here.

**D.P.O. CARPENTER:**

Here.

**P.O. CARACAPPA:**

Here.

**MR. BARTON:**

Legislator Schneiderman (not present). 15 present, Mr. Chairman. (Not Present: Legs. Caracciolo, Schneiderman and Tonna)

**P.O. CARACAPPA:**

Thank you. I'd like to thank the Clerk's Office and Budget Review for getting the levies done so expeditiously.

**LEG. LOSQUADRO:**

Thank you.

**P.O. CARACAPPA:**

Let's get right to them. Before we •• actually, before we do, Legislator Alden, the question to Budget Review is do you have a "Melvin" associated with what was accomplished this morning in the overall picture?

**MR. LIPP:**

We have the impact of the overall 2005 to 2006 adopted to adopted, and that's •• there was an increase in General Fund taxes •• well, hold on a second. The increase in General Fund •• there was a decrease in General Fund taxes overall from '05 to '06 of \$282,097.

**P.O. CARACAPPA:**

Which is a percentage of?

**MR. LIPP:**

Which is a half of one percent decrease.

**P.O. CARACAPPA:**

On the overall.

**MR. LIPP:**

Overall combined funds, General Fund plus College, plus Police, plus District Court, there's an almost 11 million dollar increase, or 2.3% increase.

**P.O. CARACAPPA:**

That's mandated and discretionary combined.

**MR. LIPP:**

Combined. The actual property tax impact, all funds county-wide, \$13 increase.

**P.O. CARACAPPA:**

On average.

**MR. LIPP:**

On average, \$13 increase per homeowner.

**LEG. BISHOP:**

Where's the one that shows it in your town?

**MR. LIPP:**

The one in your town, I believe I have the only copy.

**P.O. CARACAPPA:**

You the man.

**MR. LIPP:**

But pick a town.

**LEG. BISHOP:**

You're not going to distribute it?

**MS. VIZZINI:**



We'll make copies.

**LEG. ALDEN:**

Joe, I have one other question.

**P.O. CARACAPPA:**

Legislator ••

**MR. LIPP:**

We will make copies. We just got it. It's fresh •• it's fresh off the press.

**P.O. CARACAPPA:**

Legislator Alden still has the floor.

**LEG. BISHOP:**

Thank you.

**LEG. ALDEN:**

Gail, I had asked before, and I know you said it was premature because you had to add it all up, but just the effects of the veto overrides or vetoes being sustained, what was just that effect?

**MS. VIZZINI:**

That's •• it resulted in reducing the County Executive's proposed tax reduction, which is 864,000, by 572,000, so •• so the total decrease in the General Fund was 284,000.

**P.O. CARACAPPA:**

So you're saying the Legislature decreased the County Executive's budget?

**MS. VIZZINI:**

No.

**LEG. ALDEN:**

No, we increased it by not ••

**MS. VIZZINI:**

We increased it, but there is still a decrease in the property tax levy from last year.

**LEG. ALDEN:**

If I make this statement, by us sustaining those vetoes, we increased the budget; is that safe to say?

**P.O. CARACAPPA:**

Sustaining. I think what Legislator Alden's eluding to is the fact that by ••

**MS. VIZZINI:**

Yes.

**P.O. CARACAPPA:**

•• some of them being sustained, things were added to the budget, like added new departments and new positions that the County Executive had proposed and we in omnibus had removed. Would that be ••

**LEG. ALDEN:**

Yeah, that's pretty much it.

**LEG. MYSTAL:**

No.

**MR. ZWIRN:**

Nice try, though.

**MS. VIZZINI:**

Well, the net result was that the omnibus •• if all pieces of the omnibus had been overridden, the omnibus itself was completely balanced. So the combination of sustaining and not sustaining vetoes resulted in an increase of \$572,000.

**LEG. ALDEN:**

So our actions earlier today, that's what I've just stated, our actions earlier today by not overriding vetoes resulted in a \$572,000 addition.

**MS. VIZZINI:**

(Nodded yes).

**LEG. ALDEN:**

Okay, that's all. Thank you.

**P.O. CARACAPPA:**

Okay. Everyone has a list of the I.R.'s as it relates to the levies in front of you. First one is ***2110, extending the time for the of the warrants to the tax rolls.*** Motion by myself, second by Legislator Carpenter. All in favor? Opposed? Abstentions?

**MR. BARTON:**

16. (Not Present: Legs. Caracciolo and Tonna).

**P.O. CARACAPPA:**

***2311 is the levying unpaid County sewer rents and charges in Suffolk County Sewer District Number 3 • Southwest, in the Towns of Babylon, Huntington, and Islip.*** Motion by myself, second by Legislator Carpenter. All in favor? Opposed? Abstentions?

**MR. BARTON:**

16. (Not Present: Legs. Caracciolo and Tonna)

**P.O. CARACAPPA:**

***2312 is levying unpaid County sewer rents and charges in the Town of the Islip, Suffolk County Sewer District Number 13 (Windwatch), Suffolk County Sewer District Number 14(Parkland), Suffolk County Sewer District Number 15 (Nob Hill), and Sewer District 22 (Hauppauge Municipal).*** Same motion, same second, same vote.

**MR. BARTON:**

16. (Not Present: Legs. Caracciolo and Tonna)

**P.O. CARACAPPA:**

***2313, motion by myself, second by Legislator Carpenter, levying***

***unpaid County sewer rents and charges in the Town of Brookhaven for districts 1, 7, 10, 11, 14, 19, 20, 23.*** All in favor? Opposed? Abstentions? 2313 is approved.

**MR. BARTON:**

16. (Not Present: Legs. Caracciolo and Tonna)

**P.O. CARACAPPA:**

***2314 • Levying unpaid County Sewer Rents and Charges in the Town of Smithtown; Suffolk County Sewer District Numbers 6, 13, 15, 18, 22, 28.*** Motion and a second. All in favor? Opposed? Abstentions? And it's approved.

**MR. BARTON:**

16. (Not Present: Legs. Caracciolo and Tonna)

**P.O. CARACAPPA:**

***2315 • Levying of Property Tax Assessments for County Sewer Districts: Towns of Brookhaven, Huntington, Smithtown for County Budget for year 2006.*** All in favor? Opposed? Abstentions? It's approved.

**MR. BARTON:**

16. (Not Present: Legs. Caracciolo and Tonna)

**P.O. CARACAPPA:**

***2316, motion by myself, second by Legislator Carpenter, levying property tax assessment for the Southwest Sewer District Number 3, affirming, confirming, and adopting the assessment roll for Suffolk County Sewer District Number 3 and levying the property tax assessment within the Towns of Babylon, Huntington, and Islip for the County Budget for the year 2006.*** There's a motion and a second. All in favor? Opposed? Abstentions?

**MR. BARTON:**

16. (Not Present: Legs. Caracciolo and Tonna)

**P.O. CARACAPPA:**

***2317 • Approving equalized real property valuations for the Towns in order to distribute the 2006 Mandated and Discretionary General Fund, Police Fund, Community College Fund and District Court Fund.***

There's a motion and a second by myself, Legislator Carpenter. All in favor? Opposed? Abstentions?

**MR. BARTON:**

16. (Not Present: Legs. Caracciolo and Tonna)

**P.O. CARACAPPA:**

***2318 • Levying the return of the mandated fund balance for 2004 Actual and 2005 Estimated for the General Fund and Police District Fund to the taxpayers of the Towns of Suffolk County.***

There's a motion and second by myself and Legislator Carpenter. All in favor? Opposed? Abstentions?

**MR. BARTON:**

16. (Not Present: Legs. Caracciolo and Tonna)

**P.O. CARACAPPA:**

***2319 • Levying the return of discretionary side of the budget, the fund balance for 2004 (Actual) and 2005 Estimated for the General Fund, Police District Fund, District Court District Fund to the taxpayers of the Towns of Suffolk County.***

There's a motion and a second by myself and Legislator Carpenter. All in favor? Opposed? Abstentions?

**MR. BARTON:**

16. (Not Present: Legs. Caracciolo and Tonna)

**P.O. CARACAPPA:**

***2320 • Levying the 2006 County Budget (Mandated portion) to the Towns and charging the erroneous assessment charges to the towns.***

There's a motion by myself, Legislator Carpenter. All in favor? Opposed? Abstentions?

**MR. BARTON:**

16. (Not Present: Legs. Caracciolo and Tonna)

**P.O. CARACAPPA:**

***2321 • Levying the 2006 County Budget (Discretionary portion) to the Towns.*** There's a motion and second by myself and Legislator Carpenter. All in favor? Opposed? Abstentions?

**MR. BARTON:**

16. (Not Present: Legs. Caracciolo and Tonna)

**P.O. CARACAPPA:**

Anymore?

**MR. BARTON:**

That's it.

**P.O. CARACAPPA:**

That will do it for the levies. Again, thank everybody for getting those ready in a timely fashion. There's no other business to come before this Legislature. Is there anyone else who wants to be heard on any manner?

I'd just like to take this opportunity to wish everyone here and their families a very, very happy and healthy Thanksgiving. We are adjourned.

***[THE MEETING WAS ADJOURNED AT 4:20 P.M.]***

***\\_ \\_ INDICATES SPELLED PHONETICALLY***